

*Condolences (Prof. John Spence)*

*Wednesday, March 13, 2013*

**HOUSE OF REPRESENTATIVES**

*Wednesday, March 13, 2013*

The House met at 1.30 p.m.

**PRAYERS**

[MR. SPEAKER *in the Chair*]

**CONDOLENCES**

**(PROF. JOHN SPENCE)**

**Mr. Speaker:** Hon. Members, on your behalf, I would like to convey condolences to the grieving family of the late former Sen. Prof. John Spence, who passed away on March 06, 2013. Prof. Spence served the Parliament for approximately 13 years, and although he was not a Member of this House he spent many years working alongside this House and alongside committees of this House, and contributed to the passage of several critical pieces of legislation.

As a Senator, Prof. Spence worked closely with the staff of the Parliament and myself, and he was always the ideal parliamentarian. It is for all these reasons and given the tremendous contribution of this great man to the nation of Trinidad and Tobago that I have instructed the Clerk of the House to convey our condolences to the family of the late former Sen. Prof. John Spence. May his soul rest in peace.

**PAPERS LAID**

1. Annual Audited Financial Statements of the Trinidad and Tobago International Financial Centre Management Company Limited for the year ended September 30, 2012. [*The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal)*]
2. Annual Audited Financial Statements of Seafood Industry Development Company Limited for the financial year ended September 20, 2012. [*Hon. Dr. R. Moonilal*]
3. Annual Audited Financial Statements of the Education Facilities Company Limited for the financial year ended September 30, 2011. [*Hon. Dr. R. Moonilal*]

*Papers 1, 2 and 3 to be referred to the Public Accounts (Enterprises) Committee.*

4. Annual Administrative Report of the Ministry of Science, Technology and Tertiary Education (MSTTE) for the period October 2008 to September 2009. [*Hon. Dr. R. Moonilal*]

5. Annual Administrative Report of the Ministry of Science, Technology and Tertiary Education (MSTTE) for the period October 2009 to September 2010. [*Hon. Dr. R. Moonilal*]
6. Administrative Report of the Betting Levy Board for the financial year July 1, 2009 to June 30, 2010. [*Hon. Dr. R. Moonilal*]

**JOINT SELECT COMMITTEE REPORT  
(Presentation)**

**Mr. Fitzgerald Jeffrey** (*La Brea*): Mr. Speaker, I wish to present the following report:

**Ministries (Group 2)  
(on Trinidad and Tobago Solid Waste Management  
Company Limited (SWMCOL))**

The Ninth Report of the Joint Select Committee established to enquire into and report to Parliament on Ministries (Group 2), and on the Statutory Authorities and State Enterprises falling under their purview on the Trinidad and Tobago Solid Waste Management Company Limited (SWMCOL).

**ANTI-DOPING IN SPORT BILL, 2013**

Bill to provide for the implementation of the UNESCO International Convention against Doping in Sport, the establishment of the Trinidad and Tobago Anti-Doping Organisation, the Trinidad and Tobago Anti-Doping Disciplinary Panel and the Trinidad and Tobago Anti-Doping Appeal Panel, the promotion of an anti-doping environment which encourages positive behaviour among participants in sport and dissuades them from using prohibited substances and prohibited methods and for other related matters [*The Minister of Sport*]; read the first time.

**DEFENCE (AMDT.) BILL, 2013**

[Second Day]

*Order read for resuming adjourned debate on question* [March 08, 2013].

**The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal)**: Thank you very much, Mr. Speaker. Mr. Speaker, I rise to contribute on the measure before us: the Defence (Amdt.) Bill. This piece of legislation before us, although being a piece of legislation of two or three pages, is an extremely important and critical matter which has engaged the national

community outside of the Parliament, and has generated a fair amount of commentary, both by persons trained in law and the average citizen, “the man on the street”, so to speak.

Mr. Speaker, today is the continuation of debate on this matter and I thought it fitting to summarize, briefly, where we are in terms of the debate, and then move to where we are in terms of the issue. On the last occasion this measure was introduced by the hon. Attorney General who spoke to this issue in support of this measure and gave his arguments. Among them, arguments dealing with the incidence of crime, clearly an unacceptable rate of homicide, and the attempt by the Government to address this problem by bringing this amendment.

Mr. Speaker, this is certainly not the only measure contemplated by the Government. I want to state this again because I will speak to it in a few minutes. This is not the only measure being adopted by this Government to confront the incidence of homicide, in particular, that now threatens the stability of our nation. This is one measure, among several others on various fronts, which the Government has adopted and will ask for parliamentary support. The Attorney General spoke in detail on some of the legal issues emanating from this piece of legislation. He spoke of the importance of protecting constitutional rights of citizens, civil rights, in the aftermath of the introduction of this measure.

He also spoke with compassion about the state of crime in Trinidad and Tobago, and he gave the perspective of victims. Mr. Speaker, in my introductory remarks I want to say that it is not always when we speak on these matters we take the perspective of the victim; very few people commentating on this take that perspective, but as a Government that has demonstrated clearly, compassion while we demonstrate strength, the Government will also use the framework and the perspective of victims.

This is a society that has been for several years now under threat, and under siege. Mr. Speaker, I will not go into the details but if you map the homicide rate in this country from 1999—in 1999, believe it or not, the homicide rate was 94, by 2000 it went to 120 or thereabout, 2001 that escalated. On or around 2007/2008, I think we were over 550 homicides for the year. Mr. Speaker, that figure, that height was established sometime around 2007/2008, but by 2011/2012 the homicide rate fell, but even in falling the level is unacceptable, clearly it is unacceptable. I make the point that this problem did not start last week, last year, last few years; it is something that had developed in the society.

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There are several explanations to that and I do not wish to speak on that as to what caused this. There are several explanations, whether it is social issues, the economic conditions, the restructuring of other social institutions, the use of the State in farming out contracts, and so on, to criminal gangs and the underworld. There are several explanations that are advanced which I would not wish to go into detail, but to tell you that this is not a problem that started yesterday.

Mr. Speaker, today our strongest critic, our detractors, can say what they want about this Government, but what they cannot say is that the Government led by the hon. Kamla Persad-Bissessar, they cannot say that this Government lacks the will and the courage to take strong action. [*Desk thumping*] They cannot say that. What you can say is that you disagree with the action—that you disagree with it. Mr. Speaker, our most ferocious critic cannot accuse us of not having courage in dealing with crime. [*Desk thumping*] We came a year ago with a Bill that was defeated, to amend the Constitution and the law to provide for the implementation of our law, which is the death penalty. Mr. Speaker, that Bill was defeated but we had the courage to bring it. It was defeated but we had the courage.

I will not pontificate about if that was passed or not, what would have been the likely impact on that—we “doh” know. We “doh” know, but that Bill was defeated. Mr. Speaker, today the Government has a wide array of strategies in dealing with crime, but one of the problems that face my friends opposite, and other members of the society as well, is that because the Government has not produced one document and the document says, Operation Anaconda, Operation Baghdad, Operation Zero Tolerance, Operation Mission Shock and Awe, Operation Partnership, because we have not produced this one page to give our opponents a slogan—because to a certain extent this is a sloganeering society—people respond to slogans—Vision 2020—it is a sloganeering society.

**1.45 p.m.**

So, people expect when you have a plan, there will be a slogan, and because we have not done that, our detractors and our critics believe that we have no crime plan, no crime policy.

But, Mr. Speaker, the police have more vehicles today in 2013 than they had in 2010. They have more bulletproof vests today than they had in 2010. They have more resources today than they had in 2010. They have 13 surveillance bays on the highway today that they did not have in 2010. Today, we are recruiting actively every year enlisting and recruiting men and women to the Trinidad and Tobago Police Service. We are working on several fronts and I will speak in a bit more detail to that.

So, when the Attorney General was finished we had contributions from my friends opposite, and the very distinguished Leader of the Opposition rose and led off the Opposition on this matter. The Leader of the Opposition took umbrage, as he is entitled to do, with the circulation of amendments and so on, but when he was finished with that—which he is entitled to do—he then looked to the measure before him and sought to deal with it in his way, and I will not quote extensively from his contribution, but really to highlight some of the issues I would like to respond to.

The Leader of the Opposition started last week to brand the measure “soldier police”, and he did that with great deliberation and consideration. I do not think that it was something that came accidentally because that was part of a strategy to convey to the national community that these persons who are soldiers—members of the Trinidad and Tobago Defence Force—would become police, but they would be soldiers, so that they are “soldier police” and with that comes a nightmarish scenario.

Members opposite, including the Leader of the Opposition and others and some persons outside as well, kept harping for the last few days, “Well soldiers are different from police and they are trained to kill.” Now, nobody could remember who they killed, but they are trained that way. Nobody would be shocked to know that more police are accused of unlawful killing than soldiers, but the soldiers are trained this way; “that they are there to break down the door, to mash up people jaw, crash into your face; that is their training”. In saying that, I mean, Mr. Speaker, they are also trained to play football as well. “They doh win in that”, but they are trained.

Mr. Speaker, in doing that they ignore the contribution of the Minister of National Security, where for the first time in history the Minister outlined the Government’s proposal to take those soldiers who are already enlisted in our protective services—already—who may already have some training and the Minister explained about eight to 10 areas of training that would be undertaken before such persons can assume the duties of the police officer. Those courses and the training would take place at the University of the West Indies’ which has already committed to supporting any measure to train the soldiers.

So, it is not that you wake up one morning, you go down to Teteron, the barracks, and you call out soldiers and say, “line up, anybody available you is police”. That is not it. They will be selected for training. So this is not a measure—we must understand—even when passed, this is not a measure that will

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be implemented the day after, the week after or the month after. It requires training and specialist training in powers of arrest, search, seizure, basic law and so on. Training.

Mr. Speaker, do you know the training contemplated by the Minister and the Government is more intensive training—

**Hon. Member:** Than the police.

**Hon. Dr. R. Moonilal:**—than for private security officers, many private security officers in this country—[*Interruption*]

**Dr. Gopeesingh:** Who are precepted.

**Hon. Dr. R. Moonilal:**—who are precepted? There are private security companies in this country, there are men and women who are precepted and they do not have a quarter of the training contemplated for the soldiers who are selected to support the police in this measure.

So, we underestimate and we deliberately de-emphasize the training component here which we believe to be qualitatively better than the training for private security officers. In many Ministries, and not today “eh”—over the years—there are private security officers working there.

Mr. Speaker, you recall under the former administration, the former Prime Minister, he had some kind of fetish, some likeness, for private security.

**Dr. Gopeesingh:** Seventy-two of them.

**Hon. Dr. R. Moonilal:** Private security was guarding the Prime Minister’s office and residence, not the police. [*Crosstalk*] Many of whom were not nationals of Trinidad and Tobago. Under the former administration private security assumed responsibility for the Office of the Attorney General, for our hospitals and so on—not MTS, which is an agency of the State as well and not the police. Their training in the private security industry, not all, but there are companies there whose training policy is suspect as to what training the officers undertake.

Here we are outlining a module of training, which is subject to change; you can increase that. If you believe that, look, criminal psychology is an important area that persons should have some introduction to, you can put that. If you believe that other areas—social psychology, mediation, you know; but we hear these stories; “army trained to kill, they doh talk, they kill”, but the Minister outlined his programme. Maybe mediation, discussion, conflict resolution would also be in that module, but our detractors will not speak to that issue.

So we hide, we cover up, we de-emphasize the power of that training when those selected officers in the defence force avail themselves of the training at the University of the West Indies. The doors are open at UWI for this purpose.

Mr. Speaker, the other issue that is selectively de-emphasized is that those soldiers assuming police duties will work to assist the Trinidad and Tobago Police Service. They will not—of their own—initiate operations, conduct investigations and so on; they would work not only work alongside, but they will assist, as they are doing now, as they have done for many, many years. They will assist the police. The police will be the drivers, but the soldiers will assist, and when they have the power of the police—arrest, seizure, search and so on and training with that—they can better assist.

Mr. Speaker, today they are doing a remarkable job, the soldiers and the police. Let me say that we compliment and we commend officers in the defence force and the Trinidad and Tobago Police Service for the work that they are doing now, jointly. [*Desk thumping*]

But the work that they are doing now is work where the officers, the soldiers, do not have the legislative cover and the classic example we give—and there are so many you can give, but the one we give—is where you have soldiers working with a police officer, there is a commission of an offence, the police officer is at one point in the operation, the soldier is at the next point and that soldier has no power to arrest, to search, to detain.

Mr. Speaker, I was shocked when I heard my friends opposite say, you do not have to give a soldier that power because every citizen has the power to arrest. In layman terms that is called the Samad arrest; it is called the Samad arrest. That is where you go and you see Dr. Kublalsingh on the ground, you try to drag him out. It is called the citizen's arrest or now it is called the Samad arrest.

Mr. Speaker, this is a society where people “doh” want to be a witness. Citizens “doh” want to be a witness in the court house. They would go and arrest who? Arrest what? No citizen—I “doh” know of the record—but I cannot remember the last time when we had—well we had Mr. Samad—but I cannot remember the last time we had citizen's arrest here.

Who you think—you have a gang leader somewhere in Port of Spain, south, central or wherever; gang leader. He is seen on the move. We suspect he is up to no good. We suspect he is up to no good. We suspect that he may have some ammunitions and arms with him. Citizen Smith decides I will now undertake a citizen's arrest because this is a dangerous man, I cannot have him out there.

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What is that? That citizen would get a cardiac arrest. That is the only arrest would take place. That is the only arrest because when you confront the criminals today you do so as a citizen with great fear.

So, to say that citizens can arrest everybody and so on, that is a non-starter, we should take that off the table. To deny the selected group of soldiers; who would work along with the police, that legislative cover, by itself is reckless, it is irresponsible. But I am not surprised at that. I am not surprised at that because it has been a trait over the last three years or so that the Government would come to get legislative protection for an action, but those opposite would say no, that we should have no legislation. So, if a soldier undertakes any action and he is covered by the legislation, he can conduct those activities legally; legally. He can take someone to the court and the police prosecution is still there; it is still there.

There is another issue, it was raised in the public domain: they said, “well soldiers and police would compete to see who does the charge, who interrogates, who detain and so on.” So, we would have some war between the soldier and the police as to who would arrest, who would detain, who would interrogate. But, Mr. Speaker, you have that among police now. One police officer may tell another police officer, “look, I am arresting, I am interrogating, I am detaining, not you. You have that now. It is already a characteristic of that occupation. That would not be new. But the soldier exercising those duties will have the protection of the law in doing it. You see, this is unlike our history.

I want to remind the Parliament and the country that in 2006—in September 2006—army officers were sent in 2006 to Barrackpore, in my constituency. They were sent to Monkey Town in Barrackpore; lower Barrackpore.

**Hon. Member:** Cuchawan?

**Hon. Dr. R. Moonilal:** No, no, not there. And those army officers went there to lock down Barrackpore. Villagers there were protesting. They were protesting for roads and so on, but what was amazing is that the army went to the site of a protest in Barrackpore, where the army sought to arrest people. Persons were arrested. Incidentally they were represented in court by then Member of the Opposition, Mrs. Kamla Persad-Bissessar, and of course, the Member for St. Augustine, Mr. Prakash Ramadhar, and other lawyers. [*Crosstalk*] Ah? “And if is Ramesh?” [*Crosstalk*] Ah, ha ha. You see, Mr. Speaker, my friend opposite is now in a new political combo, as the newspapers call it, “Ramley” [*Laughter*] “Is de latest political combo; Ramley.” [*Crosstalk*] So, he will not have faith in the Member for St. Augustine or Siparia. He has an ally there. [*Crosstalk*]



In 2007, on the *Hansard*, he said if that man is coming in one direction, I would go in the opposite direction. Apparently two of them are now backing into each other. That without seeing each other, they meet. You see, [*Crosstalk*] he said if that man—“if ah see dat man ah turn and ah go in the next direction”. Today the directions end up the same place; at the same table. He has, I mean, he has brought his great party and great philosophy into disrepute by doing that, but that is a matter he would deal with at his general council when appropriate reports are laid against him for that.

**2.00 p.m.**

Mr. Speaker, let me get back to this matter now. In 2006 the army went to Barrackpore and sought to arrest people, and it was the attorney then who said, “look here, the army has no powers of arrest; they cannot arrest, they cannot grab somebody and throw them in a van and say we going to the police station.” They cannot. And, Mr. Speaker, that was the history of the former administration. That was the history where you were asking and directing soldiers to arrest people, arrest citizens without the authority.

Now, if the police arrest that is fine, that is another matter—it could be wrongful arrest, whatever it is, but the police has the law, they act according to the law; not the army, not the soldiers, and this is the matter today that we are confronting. So, if it is in the war against the criminal elements we need some of the soldiers in the defence force to assist the police, they have the legislative cover to do that. They can do that according to the law. You cannot raise constitutional Motions, and so on, on their action because they will be entitled in law to act this way. So, we must never forget the role of the army, historically, when they sought to go outside to quell a protest.

Mr. Speaker, that was 2006; fast-forward now. We are here today with this measure. The Opposition Leader sought to lump soldiers, and so on, with quacks, invalids and all sort of thing; regrettably he said CEPEP workers too. I do not believe that to be true, but the Opposition Leader sought to convey the impression that these soldiers were not trained themselves.

Mr. Speaker, while in every complement of men and women you will always have bad apples, you will have persons who bring their complement into disrepute, that will happen all about. It happened in Parliament as well, we saw that last evening. In every area you will have that, but the soldiers in Trinidad and Tobago represent a complement of men and women who have stood up during the most difficult times in the history of Trinidad and Tobago and defended the Constitution and the law. [*Desk thumping*]

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Mr. Speaker, who can forget 1990? Who can forget 1970? Who can forget other times when soldiers acted? While, yes, you will always have complaints and so on, generally our soldiers have acted with distinction. During the state of emergency in 2011, of all the complaints we have heard, very few complaints you heard were about the conduct of soldiers—about their conduct during that state of emergency. It is certainly not documented. So, it is not for us to sit in the Parliament or on our legs to condemn or seek to deride or bring into disrepute the conduct of our soldiers.

Today our soldiers have reached a major crossroad; a complement of 7,000, more or less are there. As the Attorney General said, taxpayers—Mr. Speaker, you and I, among them—we spend TT \$1 billion on the defence force—one billion Trinidad and Tobago dollars. All the Government is trying to do is to get a little more value for money. To ensure that the human capital that is there enlisted can better protect citizens; can better protect communities. That is what we are about! What is wrong with that?

Mr. Speaker, on the last occasion two amendments were tabled; one brought a sunset clause. We are saying that in 24 months—we will implement this within 24 months—but if it does not work, if the ramifications are horrible, if the returns suggest that this would not make sense, it is not helping, there may be no need to continue. And when I speak about 24 months, remember there is a period of training, whether it is six weeks or eight weeks; so it is still not 24 months. It is 22 months, 20 months, or whatever the case may be, that we will seek to use this initiative. [*Interruption*]

I want to assure my friends that this Government will be well in place over the next 24 months to implement this. [*Desk thumping*] I have no doubt about this. If they believe “Ramley” could come in town, shake up town and return them to power, they have something else, you know.

**Hon. Member:** What about Ramleela?

**Hon. Dr. R. Moonilal:** Not Ramleela, that is a Hindu festival. Mr. Speaker, we want to tell our friends opposite that they will not get hope in “Ramley” [*Laughter*] or any other combination that they embark on—

**Hon. Member:** Whichever way.

**Hon. Dr. R. Moonilal:**—whichever way they go with that they will never get hope with that, [*Interruption*] so they can wait for 2015 and invite the population to support them.

Mr. Speaker, I want to tell you on that matter, I want to say on that matter, it is the view of the Government and we are clear. Mr. Speaker, when you are elected into office, the people of this country—how much thousands, Member for Caroni East, voted for the Partnership?

**Dr. Gopeesingh:** “422”.

**Hon. Dr. R. Moonilal:** Mr. Speaker, in May 2010, 422 persons in this country—

**Dr. Gopeesingh:** 422,000.

**Hon. Dr. R. Moonilal:**—422,000 of which 7,000 came from Diego Martin North/East. *[Interruption]* Mr. Speaker, five more maxi-taxis and he is selling “bodi” and “baigan” on the Diego Martin Highway.

**Mr. Roberts:** Diego Martin seat was marginal.

**Hon. Dr. R. Moonilal:** Mr. Speaker, 420,000 persons asked this administration to deal with crime. They asked us—720,000. Mr. Speaker, I want to tell you, as I tell myself, in 2015, on that appointed day 420,000 and more will pronounce on us, they will decide whether we have dealt with the problems they put us to deal with there or not, and my colleagues opposite will get their chance; “Ramley and ram whatever will come”, and they will get their chance to invite the population to support them.

I do not know what they will say, because in three years—a little less than three years—they have not brought one policy measure to this Parliament to deal with crime. They suggest that if they are returned to office it will be SAUTT, it will be, the what—the big thing in the air that moves slowly? The blimp? That is it! They have no new policy measure to deal with crime. They continue to defend illegal institutions that presided over the highest murder rate in our history. They defend that!

But in 2015, on that day, the population will look to us and say, “did you deal with the issue which we put you there to deal with?” The biggest one of them, crime. *[Interruption]* Mr. Speaker, if they would have their way opposite, they will ensure that we do not deal with this matter. They will ensure that we do not deal with the matter, believing that “Ramley” will succeed. *[Interruption]* Yes, Mr. Speaker, that was Monday night, I think, somewhere.

Mr. Speaker, the Government is very clear; we were elected to deal with the problems that this country faces. Yesterday and the day before, we opened water

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projects in places that never had water before; we are constructing bridges and providing electricity. Never before! Mr. Speaker, if you look at the state of construction in this country, anywhere you stand in this country you “bound” to see a construction site. Anywhere! Between Grand Bazaar to the south Golconda, it has no gravel and sand again, it finished. The state of construction!

All of that is nice and the country welcomes that, but they want us to deal with crime and insecurity. Crime and insecurity is the key issue. They want us to deal with that, but our friends opposite do not want us to deal with that. No, no, no they do not want us to deal with that at all. We cannot face the country and tell this country and the 420,000 persons that we did not have the courage; we did not have the will; we did not have the strength to take strong action to defend their lives. [*Desk thumping*]

Mr. Speaker, they will pronounce eventually, but we have to do what we believe to be best, and it may be strong action, but we have put a cover on it. We have said 24 months. If it does not work we can revise, we can revisit, we can abandon it. Mr. Speaker, yesterday we met with the Police Second Division Association, we had a very cordial meeting with them. But, you know as of yesterday they did not see the amendments tabled in the House on Friday last, so, I made it my business to photocopy the amendments which I had and I shared with the Police Second Division Association. They did not see it. They may have heard about it, but they did not see it. We have said now in that amendment, apart from the sunset clause, that soldiers exercising police duties are now subjected to the Police Complaints Authority.

**Miss Mc Donald:** “Aaah”, no, no, no. Wrong.

**Hon. Dr. R. Moonilal:** Mr. Speaker, they complain meaninglessly. They do not have a new idea for three years and complain when the Government brings an idea. They do not have it. [*Interruption*]

**Mr. Speaker:** Please, please, Members! Please, please, please, Members.

**Hon. Dr. R. Moonilal:** You see, Mr. Speaker, they can say what they want— [*Crosstalk*—you lost your wicket “vooping”].

**Mr. Speaker:** Members on the other side, please!

**Hon. Dr. R. Moonilal:** “You lost your wicket vooping. You lose yuh middle stump and the two other stumps and now yuh coming to tell us about vooping. [*Interruption*] Vooping was when yuh try all kind ah thing: Mastrofski, voop”. Who is the next one? All these big crime plans, \$87 million.

**Mr. Warner:** Cross.

**Hon. Dr. R. Moonilal:** Who is he?

**Mr. Warner:** Cross.

**Hon. Dr. R. Moonilal:** Cross, Dodge, Mastrofski; billions gone in fighting crime. You were “vooping”; you were just closing your eyes and swinging. That is what you were doing. And when you look at the record, did you reduce crime, yes or no?

**Hon. Member:** Yes.

**Hon. Dr. R. Moonilal:** The answer is, “no”.

**Mr. Roberts:** No! No! [*Crosstalk*]

**Hon. Dr. R. Moonilal:** What you reduced, bullying?

**Miss Mc Donald:** It went down.

**Hon. Dr. R. Moonilal:** Not in Parliament. [*Interruption*] Mr. Speaker, they have no record to show on crime, and on crime the Opposition has no moral authority to speak. That is the truth! That is the truth, no moral authority. [*Desk thumping*]

Mr. Speaker, they condemn, they argue. Apart from my friend the Member for Diego Martin North/East—

**Mr. Imbert:** What? What?

**Hon. Dr. R. Moonilal:**—no one will come with suggestions, recommendations—

**Mr. Imbert:** What!

**Hon. Dr. R. Moonilal:** Mr. Speaker, my friend the Member for Diego Martin North/East, as you know, he is one of the most well-researched Members, who is always wrong. [*Laughter and crosstalk*] Yes, but he is one of the most well researched.

But, Mr. Speaker, there are times, I must confess, when he will bring a valid criticism and he will bring in the committee stage, some useful ideas. It is a rare occasion, but he will do that. [*Interruption*] Unlike his colleagues, they will not bring their suggestions, but he will and we often use some of his ideas.

**Mr. Imbert:** “Now ah dead.” [*Laughter*]

**Hon. Dr. R. Moonilal:** “You dead long time my friend. My friend now you pronounced dead.” [*Laughter*] “You dead a long time ago. You dead a long time ago and you see where Ramley come now, you in more trouble.” [*Laughter and crosstalk*]

Mr. Speaker, I want to indicate to my friends opposite, that the recent statistics from the Trinidad and Tobago Police Service—I do not know if they trust those statistics as well because they do not trust CSO, they do not trust the police statistics; they trust the statistics from Balisier House—

**Hon. Member:** And “Ramley.”

**Hon. Dr. R. Moonilal:**—and “Ramley”. Mr. Speaker, when you look at the state of crime, 2012 compared to 2013, in the area of serious offences, and there are several offences that they term serious offences. [*Interruption*] There has been a decrease in serious offences over the period 2012 — 2013. That decrease is in the vicinity of, I believe, it is about 30 per cent. Serious crimes 2012 — 2013, we have seen a decrease. In the area—there are some interesting decreases in robbery. If you look at January/February 2012 as opposed to January/February 2013, in that 60 days which we are comparing—

**Dr. Rowley:** What about the last hour?

**Hon. Dr. R. Moonilal:** In the last hour the only thing offensive were your comments. [*Laughter*]

Mr. Speaker, there has been a 34 per cent drop for those months when you compare in break-ins and burglary; 22 per cent drop in robbery; 35 per cent drop in fraud offences; 23 per cent fall in general larceny; narcotic offences, a 38 per cent drop between January/February 2012 to January/February 2013. [*Desk thumping and interruption*] The focus of the police now is for—

**Mr. Imbert:** What about the last 20 minutes?

**Mr. Speaker:** Please! Please!

**Mr. Roberts:** This is not a market.

**Mr. Speaker:** Member for Diego Martin West; Member for Diego Martin North/East; you have both spoken. Allow the Member to speak and allow him to speak in silence and lead by example.

**Dr. Rowley:** Insult your intelligence.

**Mr. Speaker:** Member for Diego Martin West, could you cool it.

**Hon. Member:** I am very cool.

**Mr. Speaker:** Yes, but please! Please! I am appealing to you in particular, because I am here and every time you speak I hear your entire conversation. I do not want to be part of your conversation, but you disturb me. [*Laughter*] You disturb me, and I am just asking you to observe Standing Order 40(b) and (c). That is all I am asking you to do. Hon. Leader of the House and Minister of Housing, Land and Marine Affairs.

**2.15 p.m.**

**Hon. Dr. R. Moonilal:** Thank you very much. [*Desk thumping*] Mr. Speaker, I have no difficulty dealing with him, I have none and I intend to if he continues with that behaviour. [*Crosstalk*] Mr. Speaker, in the area—[*Interruption*] I am speaking to the issue of the data. The Trinidad and Tobago Police Service has embarked on a new approach. It is new because of the crisis that we find ourselves in. They monitor on a daily basis, on a weekly basis and on a monthly basis their crime data. We do not wait for the end of the year or every six months to say, “What happened last month? What happened two months ago?” They monitor on a daily basis. Today we have the data from January/February 2013, we can compare to 2012.

Of course, we will have to wait till the end of the year, but when you guide yourself this way by what is called on-time and real-time statistics—when you monitor yourself that way you get the extra effort in dealing with the criminal elements, you get the extra effort. The news is that in this period, January/February 2013 as opposed to 2012, the same period, total serious crimes—this is the end of February, not March—reduced by 26 per cent. But, Mr. Speaker, the Government is not happy by that. We are not happy with that at all because you see, we may be reducing the incidence of serious crimes, and very serious crimes, but the homicide rate is not acceptable. When you compare the homicide rate 2012 to 2013 the homicide rate has increased.

I come to a very important issue for us now to confront. Our friends opposite and others have a way—they condemn the Government when we have a spike in crime, the Government is powerless, the Government does nothing, they do not have a clue, they do not have an idea, they do that when the spike in crime is up. When we take action they then condemn us again: why are you taking this heavy action, why are you taking a high-handed action? What do you want? You want us to leave here so you could come and destroy the country.

**Hon. Member:** That is exactly it.

**Hon. Dr. R. Moonilal:** That is what they want. Nothing we do will please them. So we do nothing, we are guilty of allowing crime to escalate. We do something; we are guilty of high-handed action.

**Mrs. Mc Intosh:** What kind of action?

**Hon. Dr. R. Moonilal:** So, Mr. Speaker, what they want us to do, “play dolly house” with the criminal elements, play games with them?

**Hon. Member:** As they did.

**Hon. Dr. R. Moonilal:** What do you want, to carry them in the hotel and offer them some food—*[Interruption]*

**Mr. Roberts:** Wine on them.

**Hon. Dr. R. Moonilal:**—and some drink and “breakfasses”. That is how we will deal with them? Mr. Speaker, when we introduce a programme here—because it is a multipronged attack on crime, it is not this measure alone—police reform, police training is taking place, we are increasing the human capital. Yesterday we toured two police stations. “How much years you hearing in everybody budget, every year—I mean we have it like a mantra, we going and build the Mamoral Dam, we going and build the highway to Point Fortin, we going and build the police station.” Every year we heard that in the budget.

**Mr. Sharma:** From the PNM.

**Hon. Dr. R. Moonilal:** Mr. Speaker, there is a highway to Point Fortin being constructed now—“as we talk they working.” *[Desk thumping]* We are constructing eight police stations, eight throughout this country. *[Desk thumping]* We visited yesterday Maloney, we visited yesterday Arima, Piarco is ready, Cumuto; in south, South Oropouche, La Brea.

My friend from La Brea, you ask 1,000 questions. Why do you not ask us about that police station in La Brea that we are constructing? *[Laughter]* Ask us when it will be ready so you can come and cut your ribbon to open your police station in La Brea. I mean, the Member for La Brea is one of the most hard-working members of the Opposition. *[Desk thumping]* Any time you get the Order Paper a few things in the world you are sure about, the Member for La Brea has five questions there and nobody else has a question. He will ask a question that there is a manhole uncovered, when are we covering the manhole.” Everything and anything he will ask and he is entitled to do that. He uses the instruments of the Parliament to defend the rights of his constituents. Who else is doing that? Who else is doing that?



**Hon. Member:** Not North/East.

**Hon. Dr. R. Moonilal:** When was the last time in this House did anybody file a Motion of urgent public importance?

**Dr. Gopeesingh:** Not one in three years.

**Hon. Dr. R. Moonilal:** Not one in three years. How many Motions on the Adjournment we have had in this Parliament. Mr. Speaker, they will not use the instruments of the Parliament to defend the rights of their constituents.

So there is no issue in this country for three years, according to them, that is not of urgent public importance. You know what they do? “They go out with Ramley outside in St. James and they just blow cuss on everybody.”

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member has expired.

*Motion made:* That the hon. Member’s speaking time be extended by 30 minutes. [*Hon. A. Roberts*]

*Question put and agreed to.*

**Hon. Dr. R. Moonilal:** Mr. Speaker, I was dealing with this issue of the crime rate. There is no doubt—we have the data—that between January/February 2012, as opposed to January/February 2013, we have had a spike in murder that is higher in 2013 than in 2012. In January/February 2013, the amount of homicides was in the vicinity of 83 or thereabout. Last year it was in the vicinity of 67 or thereabout. So there is no doubt that we have that problem, but, you know, I want to confront another issue here. It is related.

**Mrs. Gopee-Scoon:** [*Inaudible*]

**Hon. Dr. R. Moonilal:** My friend the Member for Point Fortin, you will get the hospital as well. We are committed to constructing the Point Fortin hospital. [*Desk thumping*] That will not help you but it will help your constituents.

**Mr. Roberts:** “Yuh eh coming back.”

**Hon. Dr. R. Moonilal:** When you look at the map of the murder rate and how much homicides and murder we have in this country, my friends opposite make remarks, which border on the Government and the police in some way discriminating against their constituents by undertaking strong actions in certain divisions as opposed to others.

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Mr. Speaker, there are two divisions that account significantly for the homicide rate, that is the Port of Spain division—I can tell you, in 2013, out of 46 homicides in the month of February 2013, 16 were in the Port of Spain division; the other divisions would have two, four, three, one, one, three, four and so on—and the northern division. So, out of 46 homicides in February between the northern division and the Port of Spain division you had 24 out of 46. “How much percentage is that now, half?”

**Dr. Gopeesingh:** More than 50 per cent.

**Hon. Dr. R. Moonilal:** Fifty per cent. So, five out of 10 homicides take place in two divisions, five out of 10. The other five take place in about six other divisions. So five out of 10 homicides take place in two divisions. When the police and the soldiers put in place strategies and operations to deal with two divisions alone that account for 50 per cent of the homicide, our friends opposite say, “Look heavy action, locking down, trampling on rights and brutality”.

Mr. Speaker, if you can deal with two divisions that account for 50 per cent, you will drop your overall average significantly, you will reduce the homicide rate as opposed to the high focus on a division with two, with four, with one in the month. If you look at February and you look at January, it is the same pattern. So, Members opposite need to ask themselves, what do you stand for? Do you stand for the protection of your constituents or not? All this we are doing is to protect our constituents, all of us.

The other areas of Trinidad and Tobago are not immune, they certainly are not immune. We have read of homicides in San Fernando and so on, Penal—persons belonging to that area are not immune—but what we are saying is that we must support the protective services when they implement strategies aimed at two divisions which account for five out of 10 murders. That seemed to be a good policy, but they will not support that.

Mr. Speaker, to deal with the issue of homicide, this Bill will help this measure, but it is not all. We have signalled our intentions to consider other legislative change, other initiatives and all must work together. So the police cannot be complaining that they do not have vehicles, bullet proof vests and so on, they do not have human resources. We are dealing with that. We are providing the material resources, the human resources.

The Commissioner of Police has indicated that he has a comprehensive plan dealing with reform and training, and he is working on that, but our job as members of the legislature is to make law—policy and law. How do we help to

fight crime by ourselves? We are not police and army, our job is to make law and assist and work with the protective services so that we can rid the country of this incidence of crime.

The homicide rate is the key focus at this moment as we focus on the other issues, but over the period of time, last year to this year, I am saying that a 26 per cent drop in serious crime, serious offences, is significant. It tells us that we are on the right track but we must now use diverse strategies to deal with homicide. We are on the right track if serious offences are going down but the homicide rate you have to treat specially and institute your novel, your creative policies and laws, to deal with that. That is the approach. What is wrong with that approach? What could be wrong with that?

You see, many of them, not all, are not interested in that. They hope that if the crime continues that “Ramley” will make a comeback. You see, they hope “Ramley” will get a comeback if the crime continues. They must be warned about that. How many persons got on the internal elections in the UNC? About 100 I think. “It was 13 to one blows then and it will be 100 to one blows then when it comes again.”

You see, Mr. Speaker, we are asking the Opposition to consider these measures—work with the Government. We have had discussions. They have made some recommendations and by raising issues you are making recommendations. Recommendations are not only in the form of advancing an amendment. Yesterday we met with the Police Second Division Association. They made recommendations. They raised some issues with us which I thought were useful issues to raise.

The first issue they raised was concerning the role of the Minister and that is an issue that later in this debate the Government may address—the role of the Minister in this matter—but that was raised by the Police Second Division Association. Issues of arrest, detain, interrogate and so on were raised. So in raising issues they are also pointing out the way with recommendations and we thank the Police Second Division Association for meeting and they were actually very happy that the Government chose to meet with them.

### **2.30 p.m.**

Mr. Speaker, we have also received comments in the press from the Law Association, and the Law Association has made certain observations and so on, which we will look at and we can consider, Mr. Speaker, because you see, there is a line we have to travel on—a narrow road. There is a narrow road. You have to

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take tough and stern action while at the same time defending your democratic principles—having your democratic principles upheld, but at the same time taking tough action.

All governments face that—all governments face that. This is not a new challenge—all governments. We have introduced the Police Complaints Authority; we have put a sunset clause; we may contemplate an alternative role for the Minister; we may look at other issues raised. But to take the approach: “Doh do that! Soldier trained to kill! Doh do that! They doh want you to do nothing, Mr. Speaker—nothing!”

But, Mr. Speaker, I must draw to your attention that while we have read the Law Association, we have read a few commentaries, we have listened to the Opposition, in a newspaper—March 11, 2013, page 11—a newspaper that I could say, without doubt, is not a newspaper that is—

**Hon. Member:** It is an independent paper.

**Hon. Dr. R. Moonilal:** It is independent and probably more than independent, but it is not a newspaper that will always support the Government—in fact, may never support the Government. It is the Trinidad *Daily Express*, Mr. Speaker.

**Hon. Member:** Ohhh!

**Hon. Dr. R. Moonilal:** “Do you agree with the Attorney General that we will get more ‘value for money’ using soldiers to help fight crime?”

Mr. Speaker, of, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10—of 10 persons, you had a positive response. I do not want to call the people’s names here—from 1, 2, 3, 4, 5, 6, 7. This is the people on the street, Mr. Speaker.

**Mr. Imbert:** How very scientific.

**Hon. Dr. R. Moonilal:** This is it. But, you know, if it was 10 out of 10 saying “no”, they would bring it—70 per cent. Mr. Speaker, this is the *Daily Express*.

But, Mr. Speaker, it has also been brought to my attention, from Tobago—and they should listen to the people of Tobago now. Mr. Speaker, “A resounding yes” in the *Tobago News*, Wednesday, March 13, 2013:

“What Tobagonians say: Do you think the military should be given the same powers as the police to deal with crime?”

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One person:

“There is more respect for the army and I don’t see it as a problem.”

Next person:

“They should have the powers. They can help deal with major crime.”

Next person:

“Yes, the military is strict...”

Next person:

“Anything to help curb crime is welcomed. I don’t have a problem with it.”

Mr. Speaker, this is from the *Tobago News* and the *Trinidad Express*.

Another point I wish to raise—and I do not want to just compare countries across the board without the purpose, but, Mr. Speaker, there is a report I have in my hand, the Caribbean Human Development Report 2012. It is called “Human Development and the Shift to Better Citizen Security.” So it is on citizen security, Mr. Speaker—2012, Caribbean Human Development Report of the United Nations Development Programme (UNDP).

Mr. Speaker, at page 158, in dealing with this issue, “Public Opinion on Mechanisms for Preventing and Controlling Crime”—Mr. Speaker, in that section, 157-158, it states:

“The two nations with the highest homicide rates, Jamaica and Trinidad and Tobago also show...”—Mr. Speaker, based on their assessment and their study—

“The two nations with the highest homicide rates, Jamaica and Trinidad and Tobago, also show the highest level of citizen support for military involvement in reducing crime.”

Mr. Speaker, it continues:

“First, in both nations, there appears to be a common sentiment that the police and other criminal justice agencies are unable to keep up with the challenges of fighting crime, particularly violent crime carried out by street gangs and organized crime groups. Second, since none of these nations are currently at war, the military is likely perceived as a slack resource that is on the payroll, armed and ready to deploy at a moment’s notice. Third, in nations in which the armed forces are viewed with significantly more confidence than the police, the military may be viewed as a more viable option for containing

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crime and violence.”

This is from the UNDP, Mr. Speaker. This is not from any other report. This is a UNDP report, commenting that in this region we have citizen support for the defence force working with the police in dealing with crime. This is from the UNDP.

This is the UNDP; this is not Balisier House. This is not a report from Balisier, or a report from Rowley—or is it “Ramley”?

**Dr. Rowley:** “That Ramley bothering you, eh”?

**Mr. Roberts:** “It boddering de whole country.” [*Laughter*]

**Hon. Dr. R. Moonilal:** You see, Mr. Speaker, I only laugh at that because I remember my friend in 2007. I remember his statements in 2007 when he said, “If that gentleman coming in my direction, ah turn arong and walk”.

**Mr. Roberts:** And run!

**Mrs. Persad-Bissessar SC:** And run!

**Hon. Dr. R. Moonilal:** And today they back into each other. [*Laughter*] You see, Mr. Speaker, when I saw the photograph on the newspaper, they look very close and chummy. In fact, it says:

“Opposition leader Dr. Keith Rowley confers with new ally former...attorney general...during a public meeting...”

You see, Mr. Speaker, I want to encourage my friend from Diego Martin West to please keep that company. It will help the Government. [*Laughter and desk thumping*] Please keep the company you are keeping; intensify your relationship. It may help us.

Mr. Speaker, one person who is, I mean, more of a cynic than I, told me recently when he saw this—he said: “Did you see the picture?” I said: “Yes.” He said, “I want tuh tell all yuh something now. All yuh could make some more mistake.” Because, Mr. Speaker, we depend on them to do that.

Mr. Speaker, I am reminded of the *Hansard* record of May 21, 2007. My friend opposite, on the Equal Opportunity Bill, the hon. Dr. Keith Rowley, had this to say:

“If they believe that by accusing us of corruption will improve their political fortunes because their government fell on corruption, in this PNM Government we have no Ramesh, we have no Ralph, we have no Sudama and there is no

cause for any person like that to collapse the Government.”—2007—“We do not have that...Mr. Speaker, I will give you an example. When they were about to implode, I was in Tobago and got a call from a high-ranking UNC official who told me that Ramesh wants to talk to me because he wants to bring the Government down. I said: ‘Talk to me? I will not speak to Ramesh.’ If he wants to talk to the PNM, it has a leader,”—[*Laughter and Desk thumping*]—“it has a party headquarters”—go and meet them.—“The next thing I knew, I saw him in certain situations and clearly I knew he”—was in touch with the PNM—“spoke to people, not to me because I do not trust him”—[*Laughter and desk thumping*]

“I do not trust him as far as I can throw him.”

**Mr. Roberts:** Oh gawww! [*Desk thumping*]

**Hon. Dr. R. Moonilal:** Mr. Speaker, from this, in 2007, we have “Ramley” today. [*Laughter*]

**Mr. Roberts:** “Ay ay!” “Hole it up—“

**Hon. Dr. R. Moonilal:** You see, Mr. Speaker, we have “Ramley” today.

**Mr. Roberts:** “Hole it up for de media.”

**Hon. Dr. R. Moonilal:** But, you see, I raise that point, Mr. Speaker, not only to—Mr. Speaker, I raise that point in the newspaper here, not only for the jovial nature—and it is funny to a certain extent—but for a deeper issue.

**Mr. Roberts:** Dangerous!

**Hon. Dr. R. Moonilal:** Mr. Speaker, there is an issue of opportunism, expediency, and that undermines their pronouncements on public policy.

**Mr. Roberts:** Ahh!

**Hon. Dr. R. Moonilal:** Because they are moving now with expediency and opportunism, and it undermines their credibility and their moral authority. They are concerned with collapsing a government. They are not concerned with dealing with crime. They have not one new policy measure in three years! Not one new policy measure! Mr. Speaker, not one new policy measure in three years they have—to deal with crime, but they object to everything.

You see, Mr. Speaker, I want to continue. In another report from the UNDP as well, it speaks—and I do not want to quote at length because I do not have much

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time. But it speaks of Jamaican army officers defending the military involvement in crime-fighting. Mr. Speaker, do you know in Jamaica, crime is on the decrease—in Jamaica. Who would have believed that, in Jamaica, where they utilize their defence force optimally to deal with crime?

In Mexico, there are some places 10 years ago and so on, when you heard the name, you “geh frighten. Yuh doh even want tuh tink”—Colombia, Mexico. Today, in several key states in those countries, they are reducing crime, and you ask: why are they doing it? Of course, they have a holistic approach; of course they have a comprehensive strategy, but one element of that strategy, Mr. Speaker, is to better utilize their defence force.

I would not go into details as the Attorney General did, in speaking about the defence force: what they do; what they do not do. But, Mr. Speaker, can any citizen in this country, truthfully and honestly say that we have been making the best use of the defence force in Trinidad and Tobago? Nobody can say that. Can any citizen in this country, when told that \$1 billion of taxpayers’ money is spent every year on the defence force, will conclude that we are getting value for money? No one will do that, Mr. Speaker, and when the Government, elected by the people to deal with this problem, brings a measure, put in that measure the checks and balances to uphold and defend the democratic values, they complain. They complain because they do not have a policy of their own.

Mr. Speaker, could I remind you, crime statistics on murder: Trinidad and Tobago versus Jamaica. In 2010, 36 persons murdered per 100,000 in Trinidad and Tobago. So let us get the data. In 2010, 36 per 100,000; in Jamaica, 52 per 100,000. In 2011, 26 per 100,000 in Trinidad and Tobago. So 2011 went down—26. They will say state of emergency and so on.

Jamaica: 41 per 100,000. So they are still way higher. This is almost, well, 35 per cent. Mr. Speaker, 2011: 26 in Trinidad and Tobago per 100,000; 41 per 100,000 in Jamaica.

Mr. Speaker, 2012: 30 per 100,000 in Trinidad and Tobago; 39 per 100,000 in Jamaica. Mr. Speaker, you see where they are moving? Fifty-two to 41, to 39. We are going 36, to 26 to 30—not moving. This is just homicide. This is Trinidad and Tobago and Jamaica. This is not a cricket match, you know. This is not football. It is crime. This is homicide, killing, murder, blood, and when we attempt to deal with it, we get the complaints from colleagues opposite.

Mr. Speaker, I was saying earlier that this Government has moved to resource



the police service—to resource them. When we came in, this was a country—when you come in, Mr. Speaker, you call the police, always you hear: no car, no police, no this, no that, with the police service. We had to meet that problem.

Mr. Speaker, there was a time in this country, you report a crime, you have the police tell you, “Listen, I alone here. Take a taxi and come to the station and make a report.” If you sent a car for them, “they not coming in that car”. Mr. Speaker, that was what we met.

In 2010, Mr. Speaker, I am told, 1,123 vehicles were provided for the Trinidad and Tobago Police Service—1,123 vehicles, and 621 repaired out of that. Mr. Speaker, 2013, as of now, 1,251 vehicles made available to the Trinidad and Tobago Police Service; 975 repaired; 88 vehicles received, and in June this year—in a few weeks’ time—another 88 vehicles will be received by the Trinidad and Tobago Police Service—88.

Mr. Speaker, it is not that we are not providing the resources. It is not that we are not providing. We have approved moneys, I believe, for purchasing bulletproof vests—2,500 bulletproof protective vests—for members of the Trinidad and Tobago Police Service. They are getting the resources. But, Mr. Speaker, that alone will not help us to deal with crime. That alone cannot solve the problem. You have to take a holistic approach, where you intervene with legislation; you intervene with policy and human resources and so on.

Mr. Speaker, this measure today, we are asking our friends opposite to consider. They have raised several issues which we are considering and which we have considered. This is why we speak to amendments in this matter. We would like to take this opportunity to allay the fears of members of the national community that the implementation of this measure will go side by side with the implementation of checks and balances to ensure that those persons of the defence force, invested with police authority, cannot and will not abuse that authority and will not trample on the civil and constitutional rights of citizens of Trinidad and Tobago.

#### **2.45 p.m.**

Mr. Speaker, in this Government if you look at the Members for Siparia, St. Augustine, the Attorney General and others, these are persons who in their life, in their private life, before coming to Cabinet and ministerial responsibility defended at the highest level the constitutional rights of citizens. They defended the constitutional rights of citizens; the weak, the poor, the underprivileged. They are in this Government. They are in this Cabinet. You could not see them in the next

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Cabinet. Mr. Speaker, the last Cabinet and Government sought to arrest the Chief Justice of this country. You forgot that! They sought to arrest the Chief Justice. They surrounded the man's house with police and army—"is the same army", same soldiers.

**Miss Mc Donald:** [*Inaudible*]

**Hon. Dr. R. Moonilal:** Mr. Speaker, this is their—I am speaking of the lack of democratic credentials in the former government. Mr. Speaker, the Housing Development Corporation, I said it before, Ministry of Housing, they spent a lot of money—I gave you the figures before—millions of dollars trying to jail the Member for Diego Martin West. That was their democratic DNA or their lack of. That was their DNA. They spent hundreds of thousands of dollars in legal advice to jail the Member for Diego Martin West.

**Dr. Gopeesingh:** They asked where the \$20 million gone.

**Hon. Dr. R. Moonilal:** They asked where the \$10 million gone and so on.

Mr. Speaker, their track record in defending citizens and human rights is not a pretty record. You look at the record of Members in this Government. Apart from that, we are saying do not judge us only by record and former employment and so on, judge us on what we put in the law. I said before, if it is an issue, the role of the Minister of National Security in this matter, it is something we are prepared to look at. It is something we are prepared to look at. We go further, if there are other concerns that one may wish to raise—how many minutes left?

**Mr. Roberts:** Three minutes.

**Hon. Dr. R. Moonilal:** Mr. Speaker, if there are other concerns that Members opposite may wish to raise that can enhance this legislation, that can put protective devices in this legislation to protect citizens, we are prepared to listen, but, Mr. Speaker, the dogmatic approach of "we do not support this, full stop," that cannot work. That to us is not acceptable, in the context of the battle and the war we face.

Mr. Speaker, the Prime Minister yesterday, in touring the police stations at Maloney and Arima, indicated that we are at war with the criminal elements. They do not respect you whether of ethnicity, class—

**Mrs. Persad-Bissessar SC:** We are at war with the innocent citizens.

**Hon. Dr. R. Moonilal:** We have a war between the criminal elements and our citizens. Do we relax? Do we put our hands up in the air? What do we do—sleep

away and meet the gang leaders and beg them? We have to take strong action. At the end of the day the people will judge us as to whether we had the courage and the determination to take the strong action to defend their lives.

**Hon. Member:** That's right!

**Hon. Dr. R. Moonilal:** They may complain, but they also want us to defend their lives and this is not the only measure.

Mr. Speaker, I must tell you, Sunday evening and yesterday evening in Marabella we had the finals of the Hoop for Life. When we introduced that—*[Desk thumping]*—some friends opposite screamed. They said, “look, you want to play basketball and stop crime, you bring O’Neal.” How many people?

**Mr. Warner:** Ten thousand in Marabella.

**Hon. Dr. R. Moonilal:** Mr. Speaker, in Marabella, the Train Line, you had thousands—almost 10,000 persons coming there. In Laventille on Sunday you had thousands of people, including young children, excited. Those who know about basketball more than I, the Member for D’Abadie/O’Meara, he tells me that the standard of that match, the quality, the professionalism was NBA status. *[Desk thumping]* We can call today the Detroit whatever they call themselves and the Orlando whatever they call themselves—Pistons and Magic and so on. We can invite them to play Laventille given the quality. I did not see any of my friends opposite there.

**Hon. Member:** “None. Nobody.”

**Hon. Dr. R. Moonilal:** I did not see them coming to support their constituents in that great match when the communities came. Last night I was hearing on the radio, I heard “Bella” and then people screamed, “Laventille, Bella, Laventille”. When was the last time you saw community involvement, pride, support that the Hoop for Life has delivered? That was an initiative that they condemned. *[Desk thumping]* Mr. Speaker, we will not depend on them.

In closing we ask our colleagues opposite to please check your conscience, check your heart, your mind. Forget what you wear on the tie and so on. Your leader has already abandoned that tie and joined “Ramley”. Mr. Speaker, I ask them to let their conscience guide them so that they can take decisions that will protect their own constituents. Mr. Speaker, I thank you. *[Desk thumping]*

**Mr. Speaker:** Honourable Member for Laventille.

**Dr. Rowley:** What happened with 34(2)?

**Mr. Speaker:** 34(2)?

**Mr. Roberts:** You mean 33.

**Mr. Speaker:** You should have indicated that to me before. You should not really indicate that to me now.

**Dr. Rowley:** “Well, let it go nah.” *[Interruption]* No, go ahead.

**Miss Donna Cox (Laventille/East Morvant):** Thank you very much, Mr. Speaker. Mr. Speaker, it is very painful to sit here and hear the Member of Parliament for Oropouche East stand and not defend the amendment to this Bill that we have before us here this afternoon.

Mr. Speaker, the Member for Oropouche East mainly spoke about the Opposition.

**Dr. Rowley:** Sustained attack.

**Miss D. Cox:** Mr. Speaker, I just want to talk about—the Member for Oropouche East mentioned about who could talk to who and so on. I want those on the opposite side to remember when the Members of Parliament for Siparia became the leader of the UNC, what did the Member of Parliament for Tabaquite, Caroni East and Oropouche East say? I think that the Member for Oropouche East should be talking about that. When the Member of Parliament for Tunapuna left to join or to start a party—a new party—what did they say about the Member for Tunapuna? What did the Member of Parliament for Chaguanas West say about the Member of Parliament for Siparia?

**Mrs. Mc Intosh:** That is right. *[Desk thumping]*

**Miss D. Cox:** These are the issues, if you want to talk about that. You cannot come here—they have no moral authority to come here and talk about who should talk to who and who should align with who. They have no moral authority to do that. *[Desk thumping]*

Mr. Speaker, the Member of Parliament for Oropouche East mentioned that we do not want them to do anything where crime is concerned. What we want is for them to do what is right, what is constitutional and what makes sense.

Coming on the heels of an ill-conceived state of emergency for which we are still to learn what was the intent and what were the derived benefits, the Government is here with another amendment—amendment to the Defence Act Chap. 14:01. This is yet another ill-advised expression of the Government’s so-called crime plan.

Mr. Speaker, I would like the Minister to inform this House what is the real reason behind this amendment because this amendment seems to be giving the members of the defence force powers, so that if the Government cannot get the police to do what they want to do then they would use soldiers to do it. [*Desk thumping*]

**Hon. Member:** Correct.

**Miss D. Cox:** Mr. Speaker, what consultation took place? Who did the Government consult with in the police service and in the defence force? We would like to know. Why are the police not being able to perform their statutory functions? Is this not an attempt to demoralize the police service?

Mr. Speaker, the amendment to this Bill which is now called the Miscellaneous Provisions (Defence and Police Complaints) Bill, 2013 refers to subsection 5(2) of the Defence Act. Mr. Speaker, permit me to quote:

Every Unit shall be charged with the defence of Trinidad and Tobago with such other duties as may from time to time be defined by the Council.

The Bill attempts to amend the Defence Act to give members of the defence force the same powers as the police by means of a cross reference to section 5(2) of the Defence Act. Mr. Speaker, I would like to quote subsection 5(3) which is the new amendment.

“When any member of the Defence Force having been charged under subsection (2) with the duty of assisting any member of the Police Service in the maintenance of law and order is engaged in so doing, he shall have the same powers, authorities, privileges and immunities as are given by law to the members of the Police Service.”

**Hon. Member:** “Look they bringing more amendments.”

**Miss D. Cox:** Mr. Speaker, subsection 5(2) does not deal with the charging of a member of the defence force. It refers to a unit, not a member of the defence force. So the cross reference to section 5(2) of the Defence Act therefore does not make sense. The underlying assumption of the amendment regarding section 5(2) is wrong.

The Act also states that other duties which can be undertaken from time to time must be defined by the Defence Council. It is therefore incorrect to give the impression that the Chief of Defence Staff has the authority to charge individual members of the Trinidad and Tobago Defence Force with other duties. These duties must be defined by the Defence Council.

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Mr. Speaker, the other problem is who makes up the Defence Council. The Defence Council is outlined in section 7(1) of the Defence Act and that is:

- The Minister;
- Two other Members of Cabinet appointed by the Prime Minister, one of whom shall be the Vice-Chairman;
- The Chief of Defence Staff; and
- The Permanent Secretary.

Mr. Speaker, note that this body is made up of three Ministers, so the Ministers are in the majority. By the use of section 5(2), the Government is bringing Ministers directly into police business. Can we afford to give a body comprising three Ministers direct say in the conduct of police business?

**Dr. Rowley:** Police powers.

**Miss D. Cox:** It is clear in this section that the giving of other duties can only be done by the Defence Council. Where does the Chief of Defence Staff's authority come from authorizing him to choose members of the defence force to do police work?

In section 45 of the Police Service Act, Chap. 15:01, one will find the powers of the police. Mr. Speaker, the Leader of the Opposition mentioned the powers of the police, so I would just move on and I would not outline. But, I would like to outline the powers in 45(b). I would like to quote:

A police officer may arrest, charge and bring before a summary Court, a person found committing any offence rendering him liable to arrest without warrant, or whom he reasonably suspects of having committed any such offence.

The amendment does not confine the powers to be given to the defence force the power of arrest. I would like to know why not? If we are saying that members of the defence force, we want to give them the powers of arrest, then what is the need to give them all the powers of the police?

**Hon. Member:** Soldiers.

**Miss D. Cox:** Well, it is the defence force.

Mr. Speaker, it is no wonder that many persons, including the Downtown Owners and Merchants Association and the Trinidad and Tobago Manufacturers'

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Association—well, recently the Law Association mentioned that they are concerned about the intention of this Bill.

**Dr. Rowley:** “Only the Cabinet happy.”

**Miss D. Cox:** Even the Chairman of their LRC mentioned his concern about this Bill.

**Dr. Rowley:** Did this Bill go to the LRC?

**Mr. Imbert:** He “doh read nuttin”.

**Dr. Rowley:** Tell us the Bill went to the LRC?

**Miss D. Cox:** Mr. Speaker, many of the rank and file members of the Trinidad and Tobago Police Service and the Trinidad and Tobago Defence Force are not in agreement with this proposed legislation. [*Desk thumping*] As we speak, Mr. Speaker, the Trinidad and Tobago Police Social and Welfare Association are having a meeting right now to talk about their concerns about this amendment to the legislation and there is a petition circulating in the police service. They had to seek a meeting with the Minister of National Security and the Commissioner of Police yesterday.

Mr. Speaker, this is a copy of the letter. I would like to quote the letter:

“07 March, 2013

PRESIDENT  
Police Service  
Social and Welfare Association  
Port of Spain.

Urgent General Council Meeting

Sir,

We the undersigned members of the Police Service request an immediate urgent meeting to discuss the issuance of precepts to Soldiers. We view this as a serious catastrophic decision which will emasculate and further de-motivate the Police Officers. It can also initiate an irreversible trend of interference in the Independence of the Police Service and its operations.

Thanking you,”

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—this was signed by Emrol Bruce who is past president of the Association—

“cc Vice-President  
Secretary  
Assistant Secretary  
Treasurer  
Trustee  
First Division Representative”

So you see here, Mr. Speaker, I would like to know what confrontation took place because, clearly, the police officers are very concerned and a meeting is taking place right now.

**3.00 p.m.**

Mr. Speaker, the Attorney General stated that the Commissioner of Police and the Chief of Defence Staff are in agreement with this Bill. They are in agreement with giving powers of the police to soldiers. Is this correct? Well, if they agree, by now they should know that those below them are not in agreement with these amendments. I wish to bring to your attention, Mr. Speaker, Supplemental Police Act, Chap. 15:02, section 14, which states that every constable and I quote:

“...shall have all rights, powers, authorities, privileges and immunities and be liable to all such”—police—“duties and responsibilities, as any member of the Police Service...”

Mr. Speaker, in the case of the defence force, the proposed amendment gives authority and powers, but does not include the part which says, “liable to all such duties and responsibilities”. So the soldier has power, but without duties and responsibilities. Now that they have brought a further amendment which places the soldier under the ambit of the Police Complaints Authority, they still have not put in “liability to all such duties and responsibilities”. That is still missing; therefore, no accountability.

Let us look at the word “engaged” in clause 2(3), because this proposed insertion which speaks about a member of the defence force who is assisting a member of the police service in the maintenance of law and order is engaged in so doing. So what does the term “engaged” mean? Will the member of the defence force be engaged physically, or by instruction by the police? The Bill states that the police has to engage the assistance of the defence force. Can the police engage the defence force and then withdraw? Where does the amendment say that there must be a physical presence of the police? Persons have been talking in this



House and in the media saying that the police would be accompanied by members of the defence force or they have to be accompanied by the police, but where in the amendment does this say that?

Mr. Speaker, when we talk about engagement, can the police initiate an engagement and then withdraw? This needs to be clarified by the Minister, and I am reminded of the instructions given to the Chief of Defence Staff to assist in the breaking down of the highway re-route movement camp. Was that a form of engagement? Was it by instruction?

**Mr. Imbert:** Of course!

**Miss D. Cox:** Mr. Speaker, in conferring all the police powers and privileges on soldiers, I would like the Minister to inform us whether they have to take an oath. You see, members of the police service and members of the defence force have to take and subscribe to an oath or affirmation of office and secrecy before assuming duties. Mr. Speaker, permit me to quote the oath that a police officer has to take, and this can be found in section 72 of the Police Service Act, Fifth Schedule. It states and I quote:

“I... do swear...that I will well and truly serve Trinidad and Tobago in the office of...without favour or affection, malice or ill will, and that I will cause the peace to be kept and preserved in Trinidad and Tobago, and that I will prevent, to the utmost of my power, all offences against the same; and that while I shall continue to hold the said office I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law and will not, without due authority in that behalf, in any manner whatsoever publish or communicate any facts or information being facts... So help me God.”

The defence force also has to take an oath. This oath states and I quote:

“I...(swear by Almighty God)...that I will be faithful and bear true allegiance to Trinidad and Tobago and that I will, as in duty bound, honestly and faithfully defend the State and the dignity of the State against all enemies, and will observe and obey all orders of the State and of the officers set over me.”

Mr. Speaker, is it okay to just confer police powers to a serving member of the defence force without him subscribing to the oath of office which pertains to the police service?

Mr. Speaker, police powers are subject to checks and balances, and the Police Service Commission is a check and balance on police powers. Will these members of the defence force with police powers fall under the ambit of the

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Police Service Commission? The answer seems to be, no, and the amendment does not provide for that. Is it that an unconstitutional transfer of police powers is now to take place? Is it possible to transfer police powers without regard to the constitutional checks and balances on the police service? I suggest that this amendment is improperly bypassing the Constitution of Trinidad and Tobago.

Mr. Speaker, this Bill, in one sweep, takes away the protection created by the framers of the Constitution to insulate the police from the political directorate, and this Bill is ultra vires to the Constitution of Trinidad and Tobago. [*Desk thumping*] The Government is creating a supplemental police service outside the constitutional checks and balance of the Police Service Commission's structure.

Mr. Speaker, section 123A (1) and (2) of the Constitution states that and I quote:

- “(1) ...the Commissioner of Police shall have the complete power to manage the Police Service and is required to ensure that the human, financial and material resources available to the Service are used in an efficient and effective manner.
- (2) The Commissioner of Police shall have the power to and I quote:
  - (a) appoint persons to hold or act in an office in the Police Service, other than an officer referred to in section 123(1)(a) including the power to make appointments on promotion and to confirm appointments.”

It goes on to talk about to transfer and to remove from office and exercise disciplinary controls.

So, Mr. Speaker, the power to appoint persons to act in an office in the police service rests with the Commissioner of Police as stated in the Constitution of Trinidad and Tobago. The transfer of powers, therefore, cannot be done in the fashion that the Government intends to do. Where in all these amendments does it say that the defence force cannot exercise police powers except in the presence of the police? Because, Mr. Speaker, I was reliably informed that, as a matter of fact, the defence force has been out working without the police. I want them to tell me that is not true. Policemen are being used as drivers for members of the defence force.

**Hon. Member:** “All that going on.”

**Miss D. Cox:** Mr. Speaker, the Minister mentioned that the members of the defence force will be trained. We are all aware that there are many police officers

who are fully trained and there are still many problems with their performance. So, is this a plan to make mermaids out of members of the defence force? How long is this training expected to take place? I am aware that the training for special reserve policemen is supposed to last for at least six weeks, and that is in the basics.

I recently spoke to a person who is a specialist trainer of the police, who felt that the defence force officers should be trained in the following areas:

- in knowledge of the law;
- investigative interviewing;
- suspect and witness interviewing;
- managing and preserving crime scenes;
- forensic awareness, including the handling of DNA evidence;
- statement and report writing;
- dealing with major and critical incidents;
- integrity;
- giving evidence in court and Industrial Court processes, among other topics.

Mr. Speaker, I also met with an individual who conducted investigative training in the police service, and this course was attended by members of the military as well. The tutor stated that the majority of the military personnel who attended the course found difficulty with the course content, especially in the statement report and writing area. This is, of course, no disrespect to the military personnel. Because of the mere nature of the differing roles, most of the military personnel experience difficulty in grasping the basic concepts of policing. I did not say that. A certified police trainer said that.

Did the Government take into consideration the re-socialization of the members of the defence force? Was that taken into consideration? Because, of course, the culture of the police service and the culture of the defence force is totally different and it is not easy changing culture.

I am informed that there were many problems during the state of emergency, and part of the reason for this is that the members of the defence force and the police are socialized differently. The State could be faced with many lawsuits if members of the defence force are given the powers of the police with inadequate

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training. How long does the Minister intend to train them for? We have not heard a figure. If a police constable is out with a member of the defence force who is engaged in assisting him and that person is a sergeant but yet the constable will be more au courant with what is supposed to be done on the street—who is in charge? The police constable?

Mr. Speaker, a perusal of the Defence Act, Chap. 14:01 shows that the defence force system is different to that of the police. Will these police powers now include the right to representation by the Police Social and Welfare Association?

**Mr. Imbert:** No!

**Miss D. Cox:** Will members of the defence force now have rights to be represented?

**Mr. Imbert:** No!

**Miss D. Cox:** Mr. Speaker, the Trinidad and Tobago Defence Force is now being open to trade unionism, and this is a movement that grows due to adversity. If they have powers equal to the police, this gives them equal powers to seek representation. Is this what we want in our defence force? Mr. Speaker, they cannot be denied representation when they are engaged to assist the police who have legal rights to representation. So therefore, the members of the defence force need representation too if that is the case.

Many persons joined the army or the coast guard because they did not want to be a police officer and vice versa, why must their rights be infringed upon by conferring the powers of the police on them? [*Desk thumping*] What is being said to the citizens of Trinidad and Tobago is that if you want to be a police officer, join the army.

Mr. Speaker, will the members of the Trinidad and Tobago Defence Force now have access to overtime? This question needs to be answered because the police get overtime. Members who now have police powers, will they be getting overtime? Part of the privileges of a police officer engaged in law and order is negotiated compensation packages. So, are we saying that the soldiers will now be able to negotiate their packages?

Mr. Speaker, I would like to raise some fundamental concerns about the proposed amendment and broaden the discussion to the functioning of the Trinidad and Tobago Police Service. We are overly concerned given the high

incidences of complaints by citizens of excessive physical force used and brutality inflicted on many innocent civilians, by both the police and the military. I recently read a newspaper report of alleged police and soldier brutality in the Immigration Detention Centre. I do not know the reason. I do not know the facts. But, for many years, in the MORI polls, the military was consistently viewed by the population as the most respected and trusted agency within national security, and we do not wish to see this eroded. You just have to check the MORI polls and see what the citizens think about soldiers.

Mr. Speaker, past chiefs of defence staff and several senior military officers have been overly concerned about soldiers being increasingly exposed to a degree of indiscipline that is not in keeping with the military's philosophy and tradition. We know that the military is defined as an organization authorized by its greater society to use lethal force, usually including the use of weapons, in defending its country against threats to our democracy.

So, Mr. Speaker, we are aware that the members of the defence force can provide various services, such as counterterrorism, hostage rescue, border security, defending the country from external threats presented by illegal smuggling of guns, drugs and ammunition, and other goods into our country. The military can be used to protect and defend critical infrastructure from criminals and criminal activities. In a number of these roles they are aiding the civil power.

### **3.15 p.m.**

We have a military of whom we are proud. Who can forget the outstanding role of the military in 1990—which the Member for Oropouche East alluded to—when our Constitution and our democracy were under threat and the military performed the role for which it was brought into service. The role was to stand as a first line of defence against external aggression and to safeguard the country against internal subversion. They did that in 1990 and that is the military we have; that is the military we want; that is the military that the PNM is determined to preserve. [*Desk thumping*]

We will not seek to destroy a military that has the confidence of the population as reflected in the MORI poll. The Government is seeking to destroy that. Who can forget that dramatic announcement on July 27, 1990 summoning members of the defence force to gather during a final football match in the stadium, Mr. Speaker. They did not know why, but in obedience, they assembled. Vehicles were commandeered to take them to Camp Ogden. So began the fight to preserve our democracy.

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We are concerned, Mr. Speaker, as to whether the plan is to use the military to fulfil a political agenda of this Government. Military leaders in many countries have closely guarded the use of soldiers for policing. Soldiers need to maintain a level of tempo and cadence that is far different to that of a police officer. Mr. Speaker, in effect, we are putting our military in a situation, in a position, where they are neither fish nor fowl.

Mr. Speaker, the hon. Minister mentioned that several public officers have been given police duties and cited section 3 of the Customs Act, Chap. 78:01 which provides for customs officers. What the Minister did not say is that section 64, Chap. 78:01 of the Customs Act states that when customs officers carry out their search, they have the powers of the police. So this refers to a defined objective.

**Hon. Member:** Only a search!

**Miss D. Cox:** Only when they have to search. So, in essence, it is not a blank cheque. The army is meant to enhance and to complement the law enforcement efforts of the police by providing much needed manpower from specially selected army personnel.

Mr. Speaker, we do not have a situation of terrorism and sectarian violence in Trinidad and Tobago. What we have is a crime problem which must be addressed by the Trinidad and Tobago Police Service. We need to ensure that the current legislative instruments and supporting regulations are absent of legal loopholes. [*Desk thumping*] Or is it that the larger issue here is that this Government has lost faith in the police service and its leadership, hence the need for this legislation?

**Mr. Hypolite:** “Dey lost their mind!”

**Miss D. Cox:** Mr. Speaker, I just want to give an example of something that took place in Chicago US recently. I urge the Minister of National Security to closely examine the crime situation in Chicago—a city with a population of 2.7 million; twice that of Trinidad and Tobago. Note in the United States—and the Minister mentioned this legislation—the Posse Comitatus Act and the Insurrection Act substantially limit the powers of the Federal Government to use the military for law enforcement. The Posse Comitatus Act 1887 intent, in concert with the Insurrection Act of 1807, was to limit the powers of the Federal Government in using federal military personnel to enforce the state laws. It prohibits most members of the federal uniformed services from exercising nominally state law enforcement police, or police officer powers that maintain law and order on non-federal property.

So the Mayor of Chicago did not ask for the US Army or the National Guard. Instead, with 44 murders in January 2013—we are talking about this year, 44 murders—Rahm Emanuel realized his mistake and resurrected the tactical teams of officers designed to break up gang activity and moved 200 cops from desk jobs to the street. The result was a 50-year low of 14 murders in February last month. These 14 homicides represented a more than 50 per cent decrease from the 30 homicides in February 2012.

Mr. Speaker, the Minister acknowledges the upsurge in serious crime has been fuelled by the development of gang warfare and gang-related violence. This Government rushed to dismantle the repeat offenders' task force which was responsible for dealing with gang problems in hotspot areas. Additionally, instead of seeking to develop legislation to formalize and duly constitute the Special Anti-Crime Unit of Trinidad and Tobago, they dismantled this unit also. If this is the sum total of the justification of the proposed measures that will be precipitated by the proclamation of this legislation, if passed in this House, then I beg to differ. In so doing, I would like to quote from a *Sunday Express* of March 03, 2013. I quote money laundering expert, David West:

“...‘The increase in criminality must be looked at from the perspectives of white-collar crime as well. It is not just about the poor man in Laventille with a gun but about the money laundering which is taking place.’”

So, Mr. Speaker, here we have a gentleman, a former interim head of the Financial Intelligence Unit and a former head of the central authority for Extradition and Mutual Assistance of the Attorney General, telling us that the increase in criminal activity in this country is about more than simply the development of gang warfare and gang-related violence. Mr. Speaker, the enthusiasm of the dancer is of no consequence if the step is out of time. The Minister of National Security is entirely misguided if he thinks that putting powers of arrest in the hands of soldiers will make a serious dent in a crime problem that is acknowledged by experts and lay persons alike to be about much more than the man in Laventille with a gun. [*Desk thumping*]

The Minister of National Security said that when there is a murder in Laventille, there is a spin-off—when there are murders in Laventille. [*Crosstalk*] Yes. He mentioned that when there are murders in Laventille, there is a spin-off to the community at large.

**Dr. Rowley:** They were going to lock down Laventille.

**Miss D. Cox:** Okay. Therefore, of course, they have to lock down Laventille.

He loves Laventille when it suits him. “Ah hear dey talking about Hoop of Life and so on; all of ah sudden, dey love Laventille”, but yet, he blames Laventille for the crime problem in Trinidad and Tobago. Mr. Speaker, no wonder the Minister attributed 41 per cent of murders to Laventille.

**Hon. Member:** So wrong!

**Miss D. Cox:** Is Laventille the Port of Spain division? It is totally wrong! As of today, no 41 per cent of murders took place in Laventille. That is incorrect. What the Minister needs to talk about is the distribution of contracts to criminal elements in Laventille.

**Dr. Rowley:** “That they doing.”

**Hon. Member:** Nooooo!

**Miss D. Cox:** This is what is happening and this is what is needed to be talked about. Mr. Speaker, permit me to use the analogy of a river flowing into the sea, or to be more precise, streams—*[Interruption]*

**Dr. Rowley:** Flowing into rivers—

**Miss D. Cox:**—flowing into rivers—*[Interruption]*

**Dr. Rowley:**—and rivers flowing into sea.

**Miss D. Cox:**—and rivers into sea. By repeatedly focusing on Laventille, Sea Lots and the Beetham, and by steadfastly refusing to acknowledge the connection between violent gangs at the bottom of the crime food chain *[Interruption]* and non-violent gangs at the top of the food chain, the hon. Minister is trying to stop the crime wave at the point where the river flows into the sea. We can all imagine how ineffective that could be.

Mr. Speaker, the last PNM administration tried to stop the flow of guns and drugs into this country at its source—in other words, at the stream stage. We purchased OPVs, invested in training and manpower, and what did this People’s Partnership Government do? They cancelled the OPV contract. Now, they act all surprised at the escalation in violent crimes, and then they come here and say, “No, violent crime is not going up”. The only solution they can offer the nation is to put police powers in the hands of soldiers.

Why not focus on the importers and distributors of firearms and narcotics—in other words, the “big fish”? Why not focus on strengthening the institution of the justice system? I dare say that without a similar and simultaneous focus at the



stream end [*Interruption*] of the crime chain, all this huff and puff about giving soldiers power of arrest—to arrest people at the river end of the crime chain—will accomplish nothing. In the not too distant future, we will be back here debating another equally impotent so-called crime plan. We can do much better than that.

Mr. Speaker, the hon. Minister in his statement to this House said that, and I quote:

“A large contingent of highly skilled personnel”—[*Interruption*]

**Miss Mc Donald:** Excuse. Mr. Speaker, I would like to hear the Member for Laventille East please. Standing Order 40(b) and (c). I rise on Standing Order 40(b) and(c) please. [*Desk thumping*] [*Crosstalk*] I am hearing everything.

**Mrs. Mc Intosh:** “We doh want any part of that conversation.”

**Miss D. Cox:** Mr. Speaker, they do not want to hear what I have to say so they have to talk. I understand.

**Mr. Hypolite:** Disrespectful!

**Miss D. Cox:** Mr. Speaker, the hon. Minister in his statement in this House stated and I quote:

“...a large contingent of highly skilled personnel who possess expertise...in defence operations are currently underutilized by the State.”

I would like to know: what is the magic line below which defence personnel are considered to be underutilized? Is he saying that the members of the defence force are sitting twiddling their thumbs because we happen to be at peace; because there is no state of emergency currently enforced? I read where the Minister, in justifying this Bill, states—I want to quote the Minister of National Security again:

“...during the State of Emergency in 2011...members of the defence force were conferred power of arrest, by the President, under the Emergency Powers Regulations, 2011, pursuant to section 7 of our Constitution. This ultimately led to an increase in the manpower of approximately 5,000 additional personnel to work in tandem with the police service. Five thousand more soldiers were able to work with the police service during the State of Emergency when the President gave them that power.”

But, I have one question to the Minister: what exactly did that accomplish? We would not be here today debating this Bill if the 5,000 defence force

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personnel working with the police were effective back in 2011. If 5,000 defence force personnel working with the police service under emergency conditions did not lead to a sustained decline in crime, by what magic wand will 1,000, or how much ever that they want to choose, with powers of the police lead to a sustained decline in crime? I would like the Minister to answer that.

Mr. Speaker, the defence force, in itself, is made up of around 5,200 persons, so I do not know how 5,000 could have been on the street. Where did they come from?

**Dr. Rowley:** “If he say so, yuh ha to put it. Once he say is that, is something else.” [*Laughter*]

**Miss D. Cox:** Mr. Speaker, without discussing the value of the airship as I have done in the past, this Government removed the nation’s pre-eminent surveillance platform where it ill-advisedly sold the airship for pennies on the dollar. [*Desk thumping*]

**Hon. Member:** True!

**Miss D. Cox:** Over the past five years, the United States Government has spent US \$1.9 billion for four surveillance airships. These airships are more to the ground with kevlar cables, and they provide 360 degrees surveillance that can reach 340 miles and do other precision tracking. Mr. Speaker, as this Government moves to militarize our nation, I think that there are lessons to be learnt from Mayor Emanuel’s flexibility in Chicago. We need to know whether the Government will realize their mistake like the Mayor of Chicago did and at least move immediately to reconstitute the organizations that were addressing gang matters and crimes of national significance.

Mr. Speaker, the results have been stark. We are seeing increased murders in areas that were well secured because of the presence of both dismantled organizations. Increasingly, drugs, guns and ammunition are unabatedly flowing into Trinidad and Tobago. The murder rate is now around 90 yet the Government is still playing the numbers’ game declaring every day that there is a decrease in violent crimes.

Mr. Speaker, I just want to talk a bit on the responsibility of the Commissioner of Police and the Member for Oropouche East said that we do not give suggestions and so on. I always give suggestions and recommendations when I speak. I am not here to oppose for opposing sake. Experience has shown that crime is reduced by having more boots in the streets and I believe that we all agree on that.

**3.30 p.m.**

I wish to advise the Minister of National Security to reduce the number of police officers doing clerical work; increase police visibility and presence through increased foot patrols, which should be supported by vehicle patrols; reduce the number of police officers in the stations; provide the nation with a plan to have increased foot patrols and visibility in high-crime areas; inform this honourable House which commanding officers are being held responsible and accountable for the increased murder rate within their divisions; inform us what are the repercussions for division officers whose policing techniques are not leading to reduction in crime; inform us how effectively division commanders are using the spatial and temporal data generated by CAPA; indicate how many division commanders are computer literate and personally use the computer to review CAPA information; what is being done to improve the ridiculously low detection rate that exists now; and explain to the House his involvement and knowledge of the alleged reformulation of the Flying Squad.

Mr. Speaker, the increase in murders requires fundamentally sound action by the police service. A knee-jerk reaction such as the granting of police powers to the military is not the answer. This country deserves a police service and a police commissioner that are focused on implementing tried and proven policing techniques to arrest the increasing levels of crime.

This is not a time to play politics. Imagine both the Minister of National Security and the hierarchy of the police service implement programmes geared at crime reduction in certain constituencies—Laventille and so on—without even the courtesy of having a discussion with the Member of Parliament. [*Desk thumping*] Well, I understand that the Minister of National Security would have a political agenda but what agenda does a commissioner of police have—and a police service—for not speaking with the Members of Parliament about programmes that they are saying are being initiated by the police service? What is the reason for that?

We would like to see our military doing what it is constituted to do. Therefore, the proper and strategic deployment of military manpower and their associated assets could have an effective role in the reduction of drugs, guns and ammunition. Furthermore, it is well known that the reduction of illegal drugs in the streets does not have a favourable impact on a country's level of crime and violence and we know that our country is crying out for, and our citizen are entitled to, a safe and secure life. The heightened crime and violence also lead to the rise in the cost of living and, of course, the cost of doing business.

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Mr. Speaker, given the increased violence in our beloved land, we call on the Minister of National Security to inform the country as to how the nation's air and maritime assets are being used to stem the inflow of guns, drugs and ammunition. We do not need to know about the use of the helicopter. We know that part already.

Mr. Speaker, the anti-crime unit: the Government continues to refer to the Special Anti-Crime Unit as an illegal one. The Minister of National Security has oftentimes referred to the involvement of soldiers in SAUTT as being illegal, so it would be remiss of me if I did not reiterate to this body that in establishing SAUTT—[*Interruption*]

**Dr. Rambachan:** Why you did not legalize it?

**Miss D. Cox:**—the PNM government consulted with the US Federal Bureau of Investigation, the United Kingdom's Serious Organised Crime Agency, which the Member of Parliament for Chaguanas West mentioned, and the Crown Prosecution Service.

The Special Anti-Crime Unit of Trinidad and Tobago was an intelligence-based law enforcement body. [*Desk thumping*] It was established to bolster the crime-fighting capability in Trinidad and Tobago by providing specialist support to partner agencies. [*Crosstalk*]

**Mrs. Mc Intosh:** You did not give it a chance.

**Miss D. Cox:** Mr. Speaker, the organization was given a specific mandate to target crimes. [*Interruption and crosstalk*] Mr. Speaker, I am being disturbed by Members on the other side.

**Dr. Rowley:** The Prime Minister.

**Mr. Speaker:** Members, please allow the hon. Member for Laventille East/Morvant to speak in silence.

**Miss D. Cox:** Thank you Mr. Speaker. I will continue to speak about the Special Anti-Crime Unit of Trinidad and Tobago. The organization was given a specific mandate to target crimes of national significance, including gang warfare, kidnapping for ransom, extortion, organized crime and terrorism. SAUTT was also given a responsibility to maximize the use of technology to enhance the investigative capacity of law enforcement. I have spoken many times in this House about the benefits of SAUTT so I would not go into that again.

They are too ashamed to admit that they know—[*Interruption*]

**Dr. Rowley:** They have no shame!

**Miss D. Cox:**—why they dismantled such an important unit. [*Desk thumping*] Clearly they have to be ashamed because I would have been, if that is the case. By the removal of SAUTT, a new kind of vicious criminality has emerged—for example, that decapitation of the man's head and this Government must take full responsibility for the increasing crime in this country. [*Desk thumping*] They had the solution to crime and they must take full responsibility because of the dismantling of SAUTT.

The Member for Oropouche East stated that the Government will use the framework and perspective of the victim.

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member for Laventille East/Morvant has expired.

*Motion made:* That the hon. Member's speaking time be extended by 30 minutes. [*Hon. K. Persad-Bissessar SC*]

*Question put and agreed to.*

**Miss D. Cox:** Thank you very much. Thank you very much to the hon. Prime Minister. Thank you very much to my colleagues. So, I hope you all continue to listen, okay? Thank you. [*Desk thumping*]

Mr. Speaker, the Member for Oropouche East stated that the Government will use the framework and perspective—I am quoting—of the victim. If that is so, then they would not have dismantled SAUTT. So I do not want the hon. Member for Oropouche East to come here and give us old talk, because if you are thinking about the victim you would not have dismantled SAUTT, you would not have cancelled the OPVs.

I want to set the record straight for the umpteenth time that SAUTT was never an illegal unit. The soldiers in SAUTT were never given powers to operate as police officers. [*Desk thumping*] Policing matters were under the purview of the now Deputy Commissioner of Police, Mervyn Richardson, who was a member of SAUTT.

**Dr. Rowley:** What?

**Mr. Imbert:** The Deputy Commissioner of Police?

**Miss D. Cox:** Yes.

**Dr. Rowley:** He was a SAUTT man?

**Miss D. Cox:** He is aware of everything.

**Mr. Imbert:** A SAUTT man?

**Miss D. Cox:** He is very much aware of that.

**Dr. Rowley:** The illegal SAUTT?

**Miss D. Cox:** He is the person the police reported to in SAUTT.

**Mr. Imbert:** Ohhh.

**Miss D. Cox:** So soldiers did not have any policing powers in SAUTT. [*Desk thumping*] Mr. Speaker, soldiers never illegally performed police duties as was stated by the Attorney General.

**Dr. Rowley:** Were they precepted?

**Miss D. Cox:** The PNM government never allowed soldiers to engage in police duties and there was no reason to precept soldiers in SAUTT. That never took place, contrary to the misleading assertions led by the Attorney General—so typical of him—soldiers never had police powers.

The soldiers in SAUTT were highly skilled and trained. Many of them had to attend a specialist investigations course I and II. Many were involved in survival operations and many were trainers in the use of firearms—[*Interruption*]

**Dr. Rowley:** Information gathering.

**Miss D. Cox:**—and they were—[*Interruption*]

**Dr. Rowley:** Experts.

**Miss D. Cox:**—experts, some of them, in information gathering. A lot of them were IT persons. As a matter of fact, right now, all of the police crime scene investigators are SAUTT trained.

Civilians also had to undertake specialist training, including police skills and investigation courses and were then installed as SRPs, once they met the requirement. They were always supervised by an experienced police officer. Ask the Deputy Commissioner of Police, Richardson about the new star on television. There is a Mystar and there is now a new star, Mervyn Richardson.

Mr. Speaker, the Attorney General stated that soldiers were precepted under SAUTT. That is not true; another one of his deliberate inaccuracies. Both the Attorney General and the Minister of National Security stated that there were 400 soldiers in SAUTT. That, again, is another misleading of the House. That is not

true. SAUTT was also made up of members of the fire service and the prison service, retired military and police officers and civilians. Where did they get that number from? They just pulled it out of a hat as usual.

Mr. Speaker, comments were made by the Minister that the PNM was doing it and they are now regularizing it. That is the furthest thing from the truth. That is not so and it is clear that no defence force persons had the authority, privilege or incentives of the police service and this is not analogous to SAUTT. Please do not try to fool the people of Trinidad and Tobago. If SAUTT was illegal, why did they not bring legislation to make it legal instead of dismantling it and coming up with an illegal Flying Squad? [*Desk thumping*]

**Hon. Member:** That is right.

**Miss D. Cox:** After so many taxpayers' dollars was invested in it, why was it dismantled? Why is the Government, after bad-talking SAUTT and after they unceremoniously dismissed many of the officers, including the head whom they had to handsomely compensate for his illegal dismissal, now trying to bring an arm of the military under the command of the Minister? What war are they preparing for?

The officers in SAUTT who were not dismissed—many of them were dismissed—and those who were not dismissed are presently doing nothing in Piarco, which is the intelligence and intercept unit, and in Macoya, which is the surveillance unit. Why are there many men—[*Interruption*]

**Dr. Rowley:** Spite!

**Miss D. Cox:**—not doing anything? Is that spite?

**Dr. Rowley:** Yes.

**Miss D. Cox:** They are there in Macoya and Piarco going to work every day—[*Interruption*]

**Dr. Rowley:** Doing nothing.

**Miss D. Cox:**—and have nothing to do; trained men, where taxpayers' dollars—we spent millions training those members in SAUTT and they are there doing nothing.

**Miss Mc Donald:** Callous.

**Miss D. Cox:** The officers are being paid to do nothing, spite.

**Dr. Rowley:** Terrible.

**Miss D. Cox:** Mr. Speaker, it was reported that one Mr. Denny and Mr. Alonzo are now based at the Piarco intercept unit, handpicked for the job—Mr. Denny and Mr. Alonzo in the intercept unit.

The Minister mentioned that they fixed SIA. How, by handpicking loyalists to do intelligence? Under the PNM administration, employees of the intelligence unit were never hired, based on political affiliation. They got their jobs because of their qualifications, because of their skills, because of their competence. They went through a rigorous interview process—[*Interruption*]

**Mrs. Persad-Bissessar SC:** That is when crime went up.

**Miss D. Cox:**—and tests, including lie detector, in which we were assisted by foreign professionals. I want to set the record straight as I am hearing about crime went up. In 2010, crime was trended downwards. So that is not true.

**Dr. Moonilal:** Because we arrived! [*Crosstalk*]

**Miss D. Cox:** In 2010 crimes was trended downwards. Between 2009 and 2010 kidnappings virtually disappeared and they have—we have the records to show that. [*Desk thumping*] Thanks to the Special Anti-Crime Unit of Trinidad and Tobago kidnapping went to zero.

**Dr. Moonilal:** Even murders went down.

**Miss D. Cox:** The members of SAUTT went through a rigorous interview process and tests, including lie detector, and we were assisted by foreign professionals, so there was no political interference. Part of the escalating crime problem in Trinidad and Tobago is because the Government has dismantled the independent intelligence operations in national security of this country and replaced it with a set of partisan political operatives, some of whom are even willing to take the fall for them—poor Heera.

Mr. Speaker, as I speak about the intercept unit, better known as the phone tapping unit—[*Interruption*] I would like to know why is my phone tapped?

**Dr. Moonilal:** Your phone?

**Miss D. Cox:** I was reliably informed that my phone and those of my colleagues and some of you all on the other side, your phones are tapped. What was the purpose of the Interception of Communications Bill? To my recollection, there is a procedure to follow before tapping someone's phone.

**Dr. Rowley:** Get in illegally.



**Miss D. Cox:** The hon. Member for Siparia came here to this honourable House and spoke about phone tapping and so on and it is being done now under this administration.

**Dr. Rowley:** Worse!

**3.45 p.m.**

**Mrs. Mc Intosh:** Legally, legally, legally.

**Miss D. Cox:** Mr. Speaker, well something has to be done, but phones are tapped.

**Dr. Moonilal:** You know that for a fact?

**Mrs. Mc Intosh:** “Yuh know how long they doing dat? Long time dey tapping phones.”

**Dr. Moonilal:** They pick up that in the Port of Spain market.

**Miss D. Cox:** Mr. Speaker, decisions concerning the fight against crime are not ones to be taken lightly and to be done in a “vaill-que-vaill” manner. This decision of the UNC-dominated coalition Government is yet another unworkable, impractical and unconstitutional one.

We are of the firm belief that the military should be used sparingly and on a strategic, as-needed basis to provide security and protection when needed. The emphasis has to be on holding the Commissioner of Police, his deputy commissioners and the division commanders accountable and responsible for the elevated levels of crime in our country. Where it is found that personnel are not performing, then they should be removed. It is time for the Commissioner of Police to focus on effectively and efficiently managing the police service and not his peripheral self-enhancement pursuits. It is time for the Minister of National Security to focus on the elevating crime situation in our country and stop playing the numbers game.

He has resorted to counting figures by months now. Give us meaningful statistics. Let us have year-to-year figures. Stop insulting our intelligence. “All of a sudden, is dis month is so and so and dat month is so.” I want to hear 2010—2011, 2011—2012. Give us those figures. Do not come with months. All of a sudden, the counting has changed from year, but it is now months—trying to insult our intelligence. It is time for him to deliver on the promise he made to the

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people of Trinidad and Tobago that if crime is not down in six months, he will exit. Why is he still here, Mr. Speaker? [*Desk thumping*] Why is he still here? It was a promise.

Instead, he focuses on everything else, including “macoing” two meetings. He could not even do that good because, Mr. Speaker, Mr. De Lima said he was not there. He knows about a meeting in Maraval and a meeting in Maracas, St. Joseph, and who was there; but he knows nothing, he knows nothing about the new Flying Squad. He knows about meetings. He came in this honourable House and he spoke about meetings in Maraval and Maracas, St. Joseph. He knows who was there and who was not there. Clearly, he did not “maco” good enough because De Lima is saying he was not there; but yet, he knows nothing about the new Flying Squad, which he is supposed to know about. We are concerned about the attempts of this Government to militarize this nation. We see no benefit or wisdom in the granting of police powers to the military.

In conclusion, I would like to refer to a newspaper article in the *Express* dated Thursday, March 07, 2013. The headline states and the Member of Parliament for Diego Martin West spoke about this article. The headline states:

“Defence Force will follow decisions set by Govt”

Mr. Speaker, this was an interview the reporter had with the Chief of Defence Staff, whose nickname in the army is Roger/Roger. Mr. Speaker, in military terms, Roger means yes. The Chief of Defence Staff, in that article, tap-danced his way around the whole issue surrounding this Bill. In other words, he removed himself as a key advisor on defence force matters and stated that he is just executing policy.

Mr. Speaker, since all past Chiefs of Defence Staff advised against this Bill, did Major General Kenrick Maharaj advise the Minister on this Bill? In essence, he is supposed to advise before policy is formed. That is how I know it. I understand now why he is called Roger/Roger. This is not a nickname that he just got, “eh”. This is a nickname he had for years.

**Dr. Moonilal:** You tapping phones.

**Miss D. Cox:** Mr. Speaker, we are indeed concerned about the rise in crime in our beloved Trinidad and Tobago, but I urge the Government to stop these piecemeal and knee-jerk approaches to crime. We are very concerned about crime and we feel that if you have to bring legislation, stop the piecemeal approach. Come with something proper and comprehensive.

Mr. Speaker, in many countries, governments have used the military for their personal and political agenda and, Mr. Speaker, we do not trust this Government. [*Desk thumping*] They say one thing and mean another. We do not want a “mongoose gang” here. Our military has served us well and has saved our democracy. Respect our military and save our democracy.

If the Government moves ahead with this amendment, they will be opening a Pandora’s Box and how will we then put Jack back in the box? I thank you.

**The Minister of Labour and Small and Micro Enterprise Development (Hon. Errol Mc Leod):** Thank you very much, Mr. Speaker. It is only the naive among us, Mr. Speaker—[*Crosstalk*]

**Mr. Speaker:** Please, please, Members. Please Member, please Members. Minister Mc Leod. Members. Member, you have spoken already, not so? No, no, no, forget what you are saying. I am asking you, you have spoken already. You were disturbing even the Member for Laventille East/Morvant when she was on her legs, so I ask Members on both sides to allow the Minister of Labour and Small and Micro Enterprise Development to speak in silence.

**Hon. E. Mc Leod:** Mr. Speaker, I was about to comment that their behaviour is indicative of how they have superintended over the decay that the society has been going through for some time and that it is only the naive among us who will continue to pretend that a war is not being waged against the society of Trinidad and Tobago; a war that is financed essentially by drugs and that employs guns for its own protection.

Our country is under siege. Law and order and with it the lives of decent citizens of this country are now under threat of the most heinous acts of violence. Numerous headlines about the wanton loss of life continue to shock the nation and what is even more shocking is the type of gruesome murders that our people are now exposed to, and almost every speaker before me drew reference to the head that was left on a concrete table; drew reference to the body that was fished out of the Caroni River—I think it was—legless, armless and headless.

If we need more than that to indicate solidly that there is a war being waged in the society, then we are a people without consciences; we are an unthinking people; and we are a careless people. But I know on this side of the House, we are taking note of what has been happening and not only have we taken note, we have brought the necessary legislative measure that is supposed to assist us in effecting a response to the war that is being waged against us.

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We should stop playing politics with it, Mr. Speaker. We should stop playing politics with it, and I am not sure that all of the Members opposite understand what playing politics really means because to continue to play politics with it is to continue to be non-committal, perhaps, to asserting a position that people will have some faith in, that will renew people's hopes as we bring ourselves together to do the kind of development that continues to evade us. Let us not politicize the police service, nor the protective services, as so many speakers have attempted to do. It will not benefit the society, Mr. Speaker.

The criminals among us execute nefarious activities with cruel efficiency and, in their deliberate efforts to destabilize the society, they have no regard for age and infirmity, no regard for gender, for social position and class, or any other identifying factor. We have to respond to that and there have been attempts in the past and all of those attempts have been identified and those attempts have failed. Are we expected to twiddle our thumbs and pray to God every morning and every evening? God is going to help those who help themselves, you know, Mr. Speaker. [*Desk thumping*] But I sense that there is a distinct attempt to have us do nothing, have us do nothing, and then we go to the people and say: "You voted them in 2010 and they did nothing, so it is time to weed them out." But I feel certain that this society is going to rue the day if it takes God out of its thoughts and bring back those representing something else on the opposite benches in this Parliament.

Crime, therefore, Mr. Speaker, should not be seen as a "them" issue. It should not be seen as a PNM issue, nor should it be seen, as they are projecting, as a People's Partnership issue. It is an issue that requires all proper-thinking persons, law-abiding citizens of this country, to employ concerted efforts and action to restore law and order to acceptable and decent standards to our country.

But Members opposite have argued otherwise, Mr. Speaker. We have heard them. They have argued otherwise. They have even abandoned the reasoned and balanced appeal of the country's then Prime Minister, now Member of Parliament for San Fernando East, as he delivered his 2006/2007 budget presentation, wherein the then Prime Minister said, and I quote:

"...we fully recognize that the current level of crime, particularly murder is still unacceptably high.

We are committed..."

**4.00 p.m.**

Mr. Manning said:

“...to reducing crime and lawlessness so that citizens could go about their daily lives in peace and security.”

Mr. Speaker, he said:

“The evidence is clear that the high level of murders in this society is related, in large measure to the proliferation of gang activity and the drug trade.”

This is 2006, the then Prime Minister, telling us, expressing his own views on the state of affairs insofar as crime and criminal activity were concerned.

The drug trade, Mr. Speaker, is protected by the arms, the guns of those who control the trade. And in Latin America—a number of speakers alluded to the happenings in Latin America, and I think that they are confusing whatever little information that they might have about Latin America, and the use of the military in policing activities. I shall come to that, especially because the Member for Diego Martin West, identified me, the Member for Pointe-a-Pierre as, perhaps, the one person in the Parliament Chamber—this is last week Friday he said so—who had some knowledge—and I do not know where he got that information about me, but he was correct in that I do have more knowledge than he and his bench have insofar as the operations in Latin America are concerned.

**Mr. Imbert:** Nonsense!

**Hon. E. McLeod:** You could say that. You could sit down there and say that.

**Mr. Speaker:** Member for Diego Martin North/East, do not use that form of language.

**Hon. E. McLeod:** He has no respect.

**Mr. Imbert:** He is talking—[*Interruption*]

**Mr. Speaker:** No, I am saying do not—hon. Minister, hon. Minister, hon. Minister—Member for Diego Martin North/East, you cannot be accusing a Member of speaking nonsense in this Parliament. I am saying that you cannot accuse a Member, and no Member should be accusing another Member of speaking nonsense in this Parliament, no Member. So, I am asking you, please, please, do not disturb the Member who is on his legs. You have already spoken. Hon. Member, continue please. [*Crosstalk*]

**Hon. E. Mc Leod:** He will not deter me, Mr. Speaker. Mr. Speaker, the former Prime Minister went on to say and I quote:

“...some commentators are preoccupied with the question of who is to blame for the current crime menace. Well, we all must shoulder some of the blame”—he said—“What is more important, however, is that if we are to effectively address the current challenge and bring crime under control, we all need to play our part. Fighting crime cannot be the responsibility only of the police, even though they certainly have a critical role to play; fighting crime is for all of us.”

Mr. Speaker, I do not think that the hon. Prime Minister then could have talked to fighting crime being a matter for all of us and to exclude, as he said that, members of the protective services. All of us in Trinidad and Tobago must have a responsibility for things that affect us in Trinidad and Tobago—

**Mr. Imbert:** He must apologize.

**Hon. E. Mc Leod:**—and if we were to come here and condemn every idea, every move, every measure that is proposed, that is suggested, and did not suggest a solution, then we will continue to behave with the kind of childishness that continues to be demonstrated across there.

**Mr. Imbert:** Yes, old man! [*Laughter*]

**Hon. E. Mc Leod:** “Hi ah ya! [*Laughter*] “Oh Lord!” Mr. Speaker, I feel certain—[*Laughter*]

**Dr. Gopeesingh:** Continue to know that you—[*Laughter*]

**Hon. E. Mc Leod:**—that nobody really looking at the both of us will conclude, as the Member for Diego Martin North/East seems to be concluding—

**Mr. Imbert:** “So, you are a young man?”

**Hon. E. Mc Leod:** “Umhm”. Compared with you, I am sure. Mr. Speaker, while focusing on friends opposite, it is also important that I take this opportunity to enlighten the hon. Member in his absence, Diego Martin West, who during his contribution spoke—and I thought that he spoke reasonably highly about my knowledge on the role of military and paramilitary dictatorships in the South American continent. I see in recent times he has been hanging with some erstwhile friends of mine, and he might have learnt it from them.

The era in Latin America, Mr. Speaker, to which the hon. Member for Diego Martin West referred, was one in which democracy was stifled, and it was for

many years that a battle for democracy had been taking place in Latin America, South America, for many, many, years. It is not like they had had democracy, and then the military came on the scene and monopolized the activities of the people in those countries. It is not like that.

**Mrs. Persad-Bissessar SC:** You should speak of Latin America.

**Hon. E. Mc Leod:** That was an era that gave rise to military dictatorships and even civil conflicts in Argentina, in Chile, in Uruguay, in Paraguay, in Brazil, in Peru, in El Salvador, in Guatemala, in Nicaragua and Honduras, and that is only to name a few. But let me pause, Mr. Speaker, to bring some very satisfying news, I am sure, to this honourable Parliament—

**Dr. Moonilal:** Live and direct!

**Hon. E. Mc Leod:**—Live and direct, that in this hemisphere, in Latin America, I mean, the region in which we belong—

**Dr. Gopeesingh:** The western hemisphere.

**Hon. E. Mc Leod:**—a Pope has been selected, Francis I, the first, an Argentinian. Yes?

**Mr. Imbert:** We know. [*Desk thumping*]

**Hon. E. Mc Leod:** And I wish to extend congratulations to the international Roman Catholic community—

**Mrs. Persad-Bissessar SC:** And the national community

**Hon. E. Mc Leod:**—and the national one too, on the ascension of Pope Francis, the first, to the papacy. [*Desk thumping*]

**Mrs. Persad-Bissessar SC:** He is from Argentina.

**Hon. E. Mc Leod:** Yes.

**Mrs. Persad-Bissessar SC:** And he is the first Pope in 1,000 years.

**Hon. E. Mc Leod:** “Yeah”. In 1,000 years, the first Pope outside of Europe [*Desk thumping*] and he is an Argentinian. [*Desk thumping*] So the region is being recognized more and more.

So, the brutal dictators, Mr. Speaker, used the military, not to fight crime and secure the peace for law-abiding citizens, but rather to stomp out a position from all corners of society. The military was not used to curb criminal activity, rather it was used to perpetrate criminal violence, criminal activity and to cart away so

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many dissidents into the middle of the night. That happened many years ago. And I am sure that there are some of us here who would remember the struggle by Salvador Allende—

**Dr. Moonilal:** Oh, yes!

**Hon. E. Mc Leod:**—and the struggle that was perpetrated against him as he sought to bring democracy into Chile. There were very many powerful forces that backed Augusto Pinochet in his dismantling of the democracy that Allende represented.

In some cases, Mr. Speaker, those dissidents were drugged; they were taken aboard aircraft and dumped into the Pacific Ocean, never again to see their families or friends; never again to be seen by their families or their friends. During that time, Mr. Speaker, thousands of children of dissidents were kidnapped and given to the childless families of supporters of the military juntas.

What finally brought Latin America to enjoy its present state of democracy was the desire for self-autonomy from the imperialist ideology that pervaded much of that region for many decades. Today, in Latin America, among the leaders of that region is a burning desire to carve a niche identity that is reflective of their philosophies, their struggles and their aspirations for themselves and for future generations.

This brutal past of those dictatorships were fought against and has given way to the likes of Bolivarian President, Evo Morales, Argentinian President, Cristina Fernández de Kirchner, former Brazilian President, Luiz Inácio Lula da Silva and, of course, the late comandante, President Hugo Chávez of Venezuela.

So, Mr. Speaker, all I would ask of my colleagues on the other side is that they should examine history more carefully, and not simply outline its worst aspects for the sake of political expediency [*Desk thumping*] and unbridled and abject opportunism that continues to be demonstrated so often by known and unknown Members on the other side.

**4.15 p.m.**

Today, Mr. Speaker, here we are in the 21<sup>st</sup> Century, and unlike the military dictatorships I just mentioned, we now have many countries in Latin America resorting to the use of their military to assist in the fight against crime. I want to repeat that because it seems that that is not understood. As a matter of fact, one of their confederates was on one of the television channels and was extolling the virtues and the contributions of the late President of Venezuela, comandante



Chávez, and that person took the opportunity to also refer to the amendment that the hon. Attorney General brought to the Parliament to effect a change to the Defence Act.

That spokesperson, on television, talked about Chávez having been this great leader, and then went on to say that to effect military people in the duties and responsibilities of the police is to work against the democracy of Trinidad and Tobago—it is to destroy our democracy as has been the case in recent times in Latin America and so on—clearly not knowing what he is talking about.

**Mr. Sharma:** As usual.

**Hon. E. McLeod:** So in 2012—I am making the point about the use of the military to assist in the fight against crime, and all of these cases that are identified have the element, the very serious element of drugs and guns, fuelling the extent of crime and the criminal activity that these countries, these societies, had been experiencing, and continue to experience, some of them. In 2012, Ecuador’s Defence Minister, Miguel Carvajal, announced his plan to train 4,000 military personnel to assist in the fight against crime.

Where did I get this information from? I think that it is easy for you to access it if you wish to. It is from OPEAL—the website identified as OPEAL: that is, the Observatorio de Política y Estrategia en América Latina.

**Mrs. Mc Intosh:** “I ha to give yuh lessons.”

**Hon. E. McLeod:** “Umm?”

**Mrs. Mc Intosh:** “I ha to give yuh lessons.”

**Hon. E. McLeod:** I know I need to have some lessons but I am not so sure that I am coming to you as a teacher. [*Laughter*]

**Mrs. Mc Intosh:** You could go to them.

**Hon. E. McLeod:** I took this from an article written by Geoffrey Ramsey dated April 30, 2012. Similarly, Mr. Speaker, in an article from the *Seattle Times* dated November 2009, as part of a community support programme in El Salvador, 3,700 soldiers work jointly with the police to deal with crime, particularly those that involve street gangs. Likewise, Brazil’s Navy, Air Force and Army are also partnering with the police to fight crime.

What the Partnership Government is proposing today is not new. While many are concerned about this Government’s proposed amendment to the Defence

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Force Act, it is necessary that we underline a point made by the hon. Attorney General when he said, and I quote him here:

We have also decided that this Bill, having regard to its nature, will in fact go forward with a sunset clause of two years.

Mr. Speaker, I mentioned that there had been so many strategies. There had been so many plans over the past 10 years, from “Anaconda” to whatever, and they had failed, and I think we all accept that they had failed. This is an attempt to arrest the situation that is afflicting us—this is an attempt. Do we fold our arms and do nothing, and pray that all the criminals will eliminate themselves and we will thereafter become a freer and more peaceful place? No. That which we must be fighting against keeps reincarnating itself, and we have to continue to fight and we have to use every measure that is available to us if we wish to rescue ourselves from the scourge of the criminal activity that is plaguing us.

**Hon. Member:** Scourge.

**Hon. E. Mc Leod:** Scourge. Thank you very much. You are better at English.

**Hon. Member:** “Yuh doh kno nothing about Spanish.”

**Hon. Member:** “Thas yuh friend.”

**Hon. E. Mc Leod:** [*Laughter*] Mr. Speaker, I also wish to make reference to US Defence Secretary Leon Panetta and this is to reinforce the point made by our Attorney General with regard to the sunset clause. Leon Panetta, in October 2012, attended a Defense Ministers of the Americas meeting in Uruguay and he delivered remarks. His excellency, Mr. Panetta, referred to the serious difficulties that governments in the region were experiencing by using traditional law enforcement to take action against transnational criminal threats.

I think the point has already been made that there is a transnational connection with what is happening in Trinidad and Tobago, as has been happening in other countries in the region. The armies that protect the drug trade, those armies have some well-trained people in them, and if we continue to take the position that we are not going to be fighting them and that is going to ease us up, we would be making a sad mistake. They continue to fight us and we should not fold our arms and do nothing—because we are going to die.

**Hon. Member:** Soon.

**Hon. E. Mc Leod:** So it is better that we die fighting than to fold our arms and be at the receiving end of the onslaught by the merciless. So Mr. Panetta advised that:

“The use of the military to perform civil law enforcement cannot be a long-term solution.”

And we made the point. This is not intended to be a long-term solution. The sunset clause underlines that fact. It is not the intent of the Government to make this arrangement between the police and the defence force a permanent arrangement. In our attempt to curb crime—and the point has been made about the deficiencies in the police service. Of course there are many deficiencies. The police service has not developed, technologically and otherwise, as rapidly as it ought to have developed if we are going to be in tandem with what is going on around us. And we have to spend time properly examining it, reviewing it and preparing to overhaul it. Policemen themselves are asking for that and, may I hasten to say, that policemen are asking for the assistance of the protective services because they recognize their own shortcomings, insofar as that is concerned.

So in our attempt to curb crime, this two-year interregnum—did I pronounce that one properly?—this two-year interregnum would allow us the opportunity to examine the collaboration between the police and the defence force in working toward the restoration of a peaceful society, we will do an audit, a very carefully done audit, and we are going to employ scientific means to determine where we go, how we get there, how quickly we get there, what is supposed to be the size—the numerical strength of our police service—and so on, so that we develop that arm of the State in tandem with other areas of important development.

From a socio-economic perspective, crime does not auger well for the safety of our citizens and our country’s image. Alarming high rates of serious crime remain a permanent scourge—okay?

**Mrs. Mc Intosh:** “Um huh.”

**Hon. E. Mc Leod:**—All right—on our national development. We ought not, we must not and should not let the chips fall where they may. The actions of criminals must be met with equally forceful and swift action on the part of the Government and the people. The Government’s role is to set the strategy, to provide the resources and the appropriate legal framework and to lead by example. The People’s Partnership Government is proposing that this amendment gives powers of precept to members of the Trinidad and Tobago Defence Force.

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A country's defence force is also meant to protect and ensure the security of the State within its own borders and parameters. The Government therefore recognizes the gains to be made in precepting our soldiers to work in partnership with our police officers. This strategy is meant to strengthen our protective services by increasing their visibility and fortifying the technical support offered by the joint patrols. *[Interruption]* I hear talk about "dotishness" coming from across there, and it does sound "dotish". It does sound "dotish".

**Hon. Member:** I wonder who? *[Crosstalk]*

**Mr. Sharma:** You seem to have a manufacturer's defect that cannot be corrected.

**Hon. E. Mc Leod:** Ascribing our soldiers with the power of arrest has arguably raised—*[Interruption]*

**Mr. Speaker:** Hon. Minister, I think it is a good time for us to suspend, but before doing so, may I revert to item three, Announcements by the Speaker.

#### LEAVE OF ABSENCE

**Mr. Speaker:** Hon Members, I have received communication from the hon. Dr. Lincoln Douglas, Member of Parliament for Lopinot/Bon Air West, who is out of the country and has asked to be excused from sittings of the House during the period March 13 to March 16, 2013. *[Crosstalk]* I have also received communication—Members, when I am on my legs could you observe the Standing Orders. I have also received communication from the hon. Rodger Samuel, Member of Parliament for Arima, who has asked to be excused from today's sitting of the House. The leave which the Members seek is granted. Members, at this time we will suspend for tea and we will resume at 5.05 p.m.

**4.31 p.m.:** *Sitting suspended.*

**5.05 p.m.:** *Sitting resumed.*

**Hon. E. Mc Leod:** Thank you, Mr. Speaker. At the break for tea I was attempting to ascribe to soldiers the power of arrest which has raised a plethora of human rights arguments and various concerns within civil society. There are those who suggest that soldiers are more aggressive, confrontational in their rapport with the public, that they are bound to breach the line between promoting law and order and abusing their powers.

I am suggesting, Mr. Speaker, that this is a concern that is being stoked by the fears of what exists in military states within the international community, where

democracy is not the forebearer of justice and human rights. The use of the members of the defence force to fight crime in association with the members of the Trinidad and Tobago Police Service is indeed one of the means of protecting our citizens' human rights.

This Government is also desirous of transforming the police service, and since May 24, 2010 this Government has demonstrated its efforts to transform the current police service into an efficient and a more modern entity. This multipronged approach has included—in the open-door policy with respect to citizens' ability to report crime—increasing foot and mobile patrols throughout the country, especially in crime hot spots; restructuring the Police Complaints Authority to ensure accountability and transparency and even social initiatives that focus on high-risk youth, such as the Hoops of Life programme, and I think Laventille has already been congratulated as emerging—

**Mr. Sharma:** Yes man. [*Desk thumping*]

**Hon. E. McLeod:**—champions in that programme. Mr. Speaker, [*Crosstalk*] the members of the Trinidad and Tobago Defence Force are not being invited to go on a tangent of their own pursuit of criminals. This course of extreme action is only permissible in the rare stated occasions as prescribed by the Defence Act. On the contrary, the current proposed amendment to the Defence Act—and there are other proposals that are going to be presented later—will witness collaborative efforts by the members of the police service and the defence force to fight crime.

The work of police officers is not being subverted, it is being helped. It is not being subverted, and it is wrong—indeed it is evil—to be demonizing the efforts of the Government as we put soldiers to assist our police officers, our hard-working police officers, to stem the tide of criminal activity, as they still retain the original rights afforded them by the Police Service Act, including their general duties and responsibilities.

Since this power will also be ascribed to soldiers engaged in crime-fighting initiatives with the police, it is vital that the legal ramifications of these powers be as clearly articulated as possible. It is therefore the responsibility of this administration to elaborate on the powers being given to police officers, inclusive of the power of arrest without warrant, and this relates specifically to the course of action to be adopted by members of the protected services in relation to summary as opposed to capital offences, such as murder, kidnapping, treason, et cetera, et cetera.

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Mr. Speaker, the Government's proposal to have soldiers and police work together on crime-fighting initiatives is neither new to this country nor this part of the world. In February of this year, Honduran President, Porfirio Lobo Sosa, deployed 1,400 soldiers to fight street gangs in the country's two biggest and most violent cities. That is right outside here; on our doorstep almost. It should be noted that Honduras, with a population of eight million people, had murder rates of 7,014 in 2011, and 7,173 in 2012. President Lobo made it clear that the soldiers would coordinate with police officers to patrol neighbourhoods that are hot spots for crime. We are doing that right now, are we not?

**Mr. Sharma:** Of course, it has been happening for a while; for years.

**Hon. E. Mc Leod:** Mr. Speaker, in 2011 our next-door neighbour Venezuela, under President Chávez, the late President Chávez, deployed hundreds of troops from the national guard to fight a crime epidemic in that South American nation. President Chávez assured a wary citizenry that the troops"—

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member has expired.

*Motion made:* That the hon. Member's speaking time be extended by 30 minutes. [*Mr. S. Rambachan*]

*Question put and agreed to.*

**Mr. Speaker:** You may continue, hon. Member.

**Hon. E. Mc Leod:** Thank you very much, Mr. Speaker. President Chávez assured a wary citizenry that the troops, called the Guardia del Pueblo, meaning the People's Guard—I did a little bit of Spanish, you know—would not be in the streets to repress the poor and lower classes in Venezuelan society. He assured his people, and I wish to quote him at this point, Mr. Speaker:

It is to work scientifically on the problem...

That is the problem of crime he was alluding to.

...to work with creativity, not with the traditional approach of repressing the people and above all repressing the poor. We cannot fall into the trap of capitalism and big business

—President Chávez was saying then—

and turn the poor into criminals.

I think we have enough evidence of our police and our protective services working together and continuing to demand and earn and command the respect of even the criminal. We are attempting to legalize the use of our soldiers in that form, giving them the immunities and the rights and so on associated with police work, and we believe, Mr. Speaker, that they will be able to bring about a drastic reduction in the tendency to criminal activity.

The people's guard, President Chávez was saying, was not for the abuse of people's rights, particularly poor people's rights, by those protective services people, those soldiers, those military people, in the fight against crime. The criminals, he said, are the criminals—but you know how President Chávez spoke—where ever they are.

Now I took that, Mr. Speaker, from the Nuestra Tele Noticias website, a Latin American news website that provides news about the continent in English. This particular article was authored by Miss Natalia Pachón and is dated November 18, 2012.

Mr. Speaker, there are numerous excuses that some may highlight in their refusal to support this Bill. However, one must remember that there will always be naysayers in every aspect of life. We expect that people will come and oppose one measure or the other, one action or the other, one proposal or the other brought by this Government, and we expect that they will do that with the discipline of helping and contributing to our concluding on the best product that will best serve the interests of Trinidad and Tobago. We cannot sit back and expect the crime situation in our country to change without making a concerted attempt to solve the problem.

The amendment of section 5 of the Defence Act is an effort by this administration to address the issue of crime in our beloved country. How can we comfort grieving families? So many young children are left orphans. Parents are losing their children, their offspring. Breadwinners are taken away. We must intervene now.

Mr. Speaker, the list goes on and on. These callous criminals who have no regard for life are interrupting the lives of citizens who hold dearly to dreams and hopes of a better future. Gone are the days when we could leave our doors to our homes open and return to find everything intact. Gone are the days when you would have gone shopping—*[Interruption]*

**Hon. Member:** Window shopping.

**Hon. E. Mc Leod:**—and you would have left clothes on the line—I came from a small village community, so I know about that—you leave clothes on the line and while you are out in San Fernando shopping it begins to rain, you are assured that when you get back home your neighbour would have taken the clothes off the line and folded them and so on.

**Hon. Member:** Not by them.

**Hon. E. Mc Leod:** “Yeah.” [*Crosstalk*]

**Mr. Warner:** Not now. [*Crosstalk*]

**Hon. E. Mc Leod:** Uhm? [*Crosstalk*]

**Mrs. McIntosh:** You are showing your age. [*Laughter*]

**Hon. E. Mc Leod:** I am from that time.

**Mrs. McIntosh:** That era. [*Crosstalk*]

**Hon. E. Mc Leod:** I am from that era. [*Laughter*] [*Crosstalk*] “Aie-yaie-yaie. Ah walk into that one. Aie-yaie-yaie. Yeah, we would have left those doors open and got back and meet them intact, everything intact.”

**5.20 p.m.**

This fight, Mr. Speaker, is not solely for the Government, the police force or the defence force; it is a fight for all persons in Trinidad and Tobago, so let us once again become our brother’s keeper. That is really the clarion call in all of this. As communities, we must band together to protect each other and rid our society of this evil plague. We need to keep the communal spirit alive. We cannot wait for tragedy to hit home to get involved. One might say that it has hit home already. As a people it is critical that we do not disappoint our future generation and we work assiduously to address this problem of crime in our country.

Mr. Speaker, we must come together to find solutions to our crime problem. In this regard, I would wish to assure the national community that it is only the criminals and not the law-abiding citizens who have to fear this Government. It is better we see our own soldiers with our own police officers, and indeed, we must be broad-minded enough to expect that mistakes may well be made, honest mistakes, but we would be so disciplined that the same mistake will not be repeated tomorrow because we are going to be doing things. We will make another mistake; we pray that that will be a new mistake, and each one would be a lesson in our development process, Mr. Speaker.



I think that each one of us, colleagues on the Opposition Benches, reflect and give very serious consideration to the state of things, particularly insofar as our safety and security are concerned in this country. Reflect on how things have been going, not just locally, not just regionally, but globally, and we will see the need for us to do today that which we may have avoided doing yesterday, on the basis only perhaps, that yesterday was a totally different thinking; yesterday it was a more coming together of persons; today we are living in a too individualistic world and we need to begin to see things from different perspectives, yes.

I am sure that if we were to internalize all of the important statements that have been made in support of these measures to curb the incidence of crime, criminal activity and more particularly, the incidence of murder, we would find our way to supporting the measures that were brought by this Government, and especially because—since we seem to be touching on very fundamental issues which we would have held very dear to our breasts, in our breasts—we have determined that we will apply some sunset measures to this so that we observe very carefully and learn as we go forward and ensure that we prepare this Trinidad and Tobago society—this small speck of dirt as somebody might have recognized it, identified it—we will prepare this place in such a way that generations coming after us will be justly proud in the contributions that have been made by this Parliament of Trinidad and Tobago in the year 2013.

I beg to thank you very much, Mr. Speaker. [*Desk thumping*]

**Mrs. Patricia Mc Intosh** (*Port of Spain North/St. Ann's West*): Mr. Speaker, I thank you for the opportunity to make a contribution to the debate under review in this House, the Miscellaneous Provisions (Defence and Police Complaints) Bill, 2013.

Mr. Speaker, the hon. Member for Pointe-a-Pierre began his contribution by making an appeal for Members to de-politicize the crime issue. And while I agree with him, I feel it is a pity that he did not first advise the Members on his side who spoke before him because they could not help but succumb to the tendency of continuously apportioning blame at the feet of the PNM for everything bad that happens in this country, including this spate of crime that we are currently facing.

Mr. Speaker, no one can deny that we have a serious situation on our hands in respect of an escalating crime scene. When I look at the statistics and I look back over the past three years, I see in 2011 we had 354 murders and two kidnappings; 2012, we had 383 murders and five kidnappings, the kidnappings increased by

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more than 100 per cent; and in 2013, 72 days into the year, we have 90 murders and this is deplorable. Thank God, no kidnappings have so far been registered, but we do have 90 murders.

Mr. Speaker, despite this Government's—or some of the Members opposite, not all of them—rather disingenuous efforts to de-emphasize and downplay the escalating crime rate by comparing the crime rate under the PNM administration, the fact remains that there is a worrisome escalation of crime under this present UNC administration. The Member for Caroni East constantly punctuated his contribution by stating that the PNM should be ashamed of the high crime rate. *[Interruption]* But, Mr. Speaker, I would like to tell the Member for Caroni East and every single Member opposite that the PNM has nothing to be ashamed about; absolutely nothing to be ashamed about. *[Desk thumping]*

The PNM was indeed aggrieved and terribly concerned over the spate of murders and kidnappings under its tenure. We regretted deeply then, as we do now, the fate of the victims and the grief of their families. But the PNM has nothing to be ashamed about, because our Government dedicated itself to the implementation of strategies to fight crime and reduce the murder rate.

I have to remind the Members opposite that while murders, very unfortunately, were high there was a significant and commendable decrease in kidnappings. I should like to quote: In 2007, we had 155 kidnappings—it was deplorable 155 kidnappings and the PNM employed strategies to bring this down, so by 2008 we had 11 kidnappings; 2009, six kidnappings; 2010, we had only four kidnappings, which was the result of strategies that the PNM had put into place. Indeed, the murders were coming down, because in 2008 we had 550 murders, very, very bad; but in 2009, we had 509 murders and in 2010, we had 485 murders, so they were coming down, and certainly the kidnapping rate had gone almost to a negligible point.

Mr. Speaker, the Members opposite would not say this. *[Interruption]* No, they do not want the public to be reminded of this. It serves them well to forget this fact, Mr. Speaker. They do this because they want to counteract their Government's pathetic performance by preoccupying themselves with reminding the public about anything negative—real, imagined, exaggerated or maliciously misrepresented—that occurred under the PNM. *[Desk thumping]* They know well how to do this. But I have to tell them again, we tell them over and over and over, but “stick break” in their ears. We tell them over and over; the public adjudicated on all of this almost three years ago and the public is fed up with this type of bullying politics. *[Interruption]*

Mr. Speaker, I do remember one thing, if nothing else, at a parliamentary conference at the Hyatt, when one of the delegates, a foreigner, advised that no Government should employ a strategy of beating up and bullying the Opposition. He said it was a negative strategy and did the country no good. But, again, they did not take heed, they were all there, “stick break” in their ears as my hon. Leader would say—“stick break” in their ears.

Mr. Speaker, the truth of the matter is that the PNM was able to significantly reduce the kidnappings and expended every effort to reduce the murder rate in the country, and it was coming down because I just showed that in the statistics. It was coming down, Mr. Speaker. The difference between this UNC Government and the People’s National Movement is that the PNM had a plan. *[Interruption]* Mr. Speaker, I would like to read a quote from our Vision 2020 plan, “The security of the nation”:

“The PNM views the security of Trinidad and Tobago as a major responsibility of Government.”

The PNM will”—and did—

- “Provide the necessary training, equipment and support services for the Protective Services and the Defence Force.”

Many of the officers were sent abroad for training. There was also in-house training locally. They would:

- “Provide an enhanced Joint Services Staff College; ensure greater use of modern technologies and relevant exposure to training institutions at home and abroad.”—this was done.
- “Undertake a holistic approach that deals with the causes of crime and not only the symptoms of crime. Such an approach will take into account the legal and the judicial, the educational, rehabilitative and social, and the prevention and protection attributes of the phenomenon.

The PNM recognizes three main components of the upsurge and sustained growth in violent crime in our society:

- Drug related activity
- Youth/juvenile violence
- Domestic violence and other outrages against women.

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The higher incidence of criminal activity necessarily demands greater efficiency from the Protective Services if prevention, apprehension, detention, and rehabilitation are to be maintained at acceptable levels.

Accordingly, the PNM pledges to:

- Review the overall strength, training and deployment practices of the Protective Services. In order to meet the ever-present challenges, the Services will be afforded improved manpower surveillance and detection capability, improved accommodation and updated training and retraining.
- Improve transport facilities and maintenance.
- Ensure closer collaboration and cooperation among various branches of the Protective Services and between local and international agencies, especially in respect of international problems, such as the drug trade and money laundering.
- Expand the capability of the penal system to provide for effective rehabilitation.
- “Institute components of in-service sensitivity training for members of the Services to enable them to recognize and respond effectively to potential or actual instances of domestic abuse.
- Provide the Forensic Science Centre with the necessary appropriate equipment, trained staff and facilities.
- Develop an appropriate IS/IT policy for the Security and Policing Services and invest in the provision of the necessary hardware, software and human resource development programmes.

#### DEFENCE FORCE

The PNM is committed to provide a full range of trained personnel, vessels and equipment to allow the Defence Force to perform to the highest level of efficiency in guarding and protecting our land and seas, carrying out search and rescue missions, deterring or apprehending narco-traffickers and performing community services, especially in times of national emergencies.”

Mr. Speaker, that is why we introduced the OPVs and the airships, of course, which they disbanded.

**5.35 p.m.**

“The PNM will strengthen the Defence Force’s Utility and Engineering Corps. This would allow”—[*Interruption*]

**Dr. Ramadharsingh:** Mr. Speaker, 43(1).

**Mr. Speaker:** No there is nothing like 43(1). I think you probably—when you say 43(1)?

**Mrs. P. Mc Intosh:** Mr. Speaker—[*Interruption*]

**Mr. Speaker:** Wait, you allow me to rule first. I did not get the impression that the Member is being irrelevant or being tediously repetitious at this time. Hon. Member you may continue, please. [*Desk thumping*]

**Mrs. P. Mc Intosh:** “The PNM will strengthen the Defence Force’s Utility and Engineering Corps. This would allow the officers to work closely in a meaningful and effective way with community and youth projects and programmes.

The Civilian Conservation Corps will be re-established.”

I would just like to reiterate that I was quoting the PNM’s programme, their plan on Vision 2020. [*Interruption*]

**Mr. Speaker:** Do not worry I have given [*Inaudible*] [*Interruption*]

**Mr. Sharma:** “We accustom to you reading.”

**Mr. Speaker:** Please, please, please, allow the Member to speak.

**Mrs. P. Mc Intosh:** Mr. Speaker, while the PNM had implemented several strategies to fight crime, albeit with varying degrees of success, this UNC Government after almost three years in office is yet to articulate—far less implement—any plan to fight crime.

This Government rode into office on a wave of high crime and murder rate under the PNM administration, high murder rate under the PNM administration. They said they would significantly reduce crime and the murder rate in the first year of office. What did they have to do? What did they do? They declared an ill-advised and unwarranted state of emergency to do this, which of course suppressed the murder rate.

Mr. Speaker, the PNM is proud that it never sought to resort to declaring an unwarranted state of emergency which would take away the rights of citizens.

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[*Desk thumping*] As an effort, we never saw this as a strategy to reduce the crime rate and to give this nation a false sense of security, we never sought to do that. Three years after having assumed office this UNC Government still cannot produce a crime plan.

**Mr. Sharma:** Same speech.

**Hon. Member:** That is right, that is right.

**Mrs. P. Mc Intosh:** The Minister of National Security promised to reveal a crime plan to the nation when he assumed office. To date, he has no crime plan.

**Mr. Warner:** Not to you.

**Mrs. P. Mc Intosh:** He said not to me, I suppose not to anybody in this country. [*Desk thumping*] I have never heard of a country where the national community is not aware of some specific crime plan as I just pointed out under the PNM's administration. That is why I read that crime plan. What I have to ask is—and I understand that he is going to speak so we will probably hear from him—where is the Member for Chaguanas East and his Keith Noel 136 Committee in all of this? [*Desk thumping*]

**Hon. Member:** Yes, where is it?

**Mrs. P. Mc Intosh:** The day Keith Noel was murdered on May 26, 2005 the murder toll stood at 136 in 146 days. That unfortunate murder prompted the Member opposite to form the Keith Noel 136 Committee to stage the famous Death March and to collect 100,000 signatures—very admirable. But where is his voice today? I hope we hear it in this honourable House. I think he will reply to me. To date we have 90 murders in 72 days which represent a much higher murder rate percentage than when Keith Noel died in May 2005. As a matter of fact it is a 34 per cent increase and I cannot hear a peep out of the hon. Member for Chaguanas East. I cannot hear a peep out of him.

Mr. Speaker, they are talking about who should be ashamed. [*Interruption*] No, I cannot hear anything out of you. Probably Keith Noel served his useful purpose and the hon. Member moved up and on. They are talking about who should be ashamed. Every single one of them over there should be ashamed. [*Desk thumping*]

I would like to state that the Members on this side of this honourable House would happily welcome any well-thought-out, well-planned initiative to resolve this scourge upon our land. But we must accept it if it is done. We will accept it if it is done in a meaningful well-planned way for the greater good of all our

citizens. Instead, what do we get? A knee-jerk reaction by the UNC administration to this current spate of criminal activity and they bring to this honourable House a Bill which purports to give army officers the powers of the police.

The questions we ask ourselves are: whether ascribing to soldiers the same powers as police, we have to ask ourselves what is the real rationale behind this? We ask ourselves: would this bring the Bill—question the validity, legality and constitutionality of the Bill? We have to examine whether the enactment of this piece of legislation will redound to the greater good of all our citizens in particular and the advancement of Trinidad and Tobago in general.

Mr. Speaker, support of defence force for civil authority has always been a local phenomenon. It is nothing new as we all said. I think the Member for Pointe-a-Pierre pointed out that. The defence force has always given support to the police force especially in times of crisis—for example, in a state of emergency. It is part of the remit of the defence force to work alongside with the police, where and when necessary to ensure national stability. Section 5(2) of the Defence Act speaks to this, and I would like to quote from it:

“Every unit shall be charged with the defence of Trinidad and Tobago and with such other duties as may from time to time be defined by the Council.”

Indeed, the Chief of Defence Staff has the authority acting on the advice of the Minister to dispatch soldiers to support police—for example, as happened in the Black Power uprising in 1970, and the Muslimeen uprising in 1990 and in the recent state of emergency in 2011, and this is currently happening now in Laventille.

As a humble citizen, I see absolutely no reason why these two entities of the protective services cannot continue to work collaboratively as is customary, in times of crisis. Why is it necessary, therefore, to enact legislation that will run the risk of confusing and complicating their respective missions? The remit of the defence force is to guard and defend, that of the police force is to protect and serve. These are two completely different missions; two different roles and functions; they require two different sets of skill sets.

Under section 5(2) of the Defence Act the army is charged with the defence of Trinidad and Tobago. I just read it and under section 4(1) of that very Act, it states that the army is on active service and I will read this:

“In this Act, the expression ‘on active service’, in relation to any unit, means that it is engaged in operations against an enemy, and in relation to a person means that he is serving in or with such a unit which is on active service.”

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So, we can see the role of the army clearly. The duty of the police force is the preservation of peace, the prevention of crime and the detection and committal of offenders.

Under article 45 of the Police Service Act, Chap. 15:01 and I quote:

“A police officer—

- (a) shall preserve the peace and detect crime and other breaches of the law;
- (b) may arrest, charge and bring before a summary Court a person found committing any offence rendering him liable to arrest without warrant, or whom he reasonably suspects of having committed any such offence;”

I go to (f):

“(f) shall keep order in and within the precincts and in the vicinity of all Courts during all sittings of such Courts;

(g) shall repress internal disturbances;”

There is an inherent conflict in the two functions. A police officer’s duties cover:

- Domestic policing which upholds the domestic laws of the country and protects the rights of citizens;
- Protecting the rights of citizens in Trinidad and Tobago means protecting the rights of all citizens—victims as well as criminals;
- The use of force should be a last resort.
- The goal of the police is to preserve the peace and keep order.

The army’s duties relate to the military functions of the Government which include:

- Engaging in combat with the goal of destroying an external enemy that presents a threat to the rights of domestic citizens;
- The ultimate goal of the army is defence and protection to the point of annihilation of the enemy if necessary.
- Soldiers are trained for combat.
- They are in active service in the defence force ready to defend Trinidad and Tobago against an enemy.



A soldier is a combatant, a fighter. This is his job. This is what he has been trained to do.

So, when my colleague, the Member for Diego Martin North/East said that a soldier would kick down a door or he would use a lot of force, he was not speaking about the person or the man or the woman. He did not mean that a soldier is a bad person. He was speaking about the profession, what the man does in the job, a job that he has been trained to do. He will fight, he will engage in combat to guard and defend his country. This is his purpose. This is why he is there, this is why he enlisted. Whereas the police, we saw, is the protector and a servant of the citizens maintaining law and order amongst them and protecting them from harm.

**Mr. Sharma:** You did not say anything new yet.

**Mrs. P. Mc Intosh:** Ascribing the powers of the police to the soldiers of the defence force, as this Bill is purporting to do, means radically changing the terms and conditions under which soldiers were recruited.

I should like to ask the Attorney General certain questions: are the soldiers psychologically prepared for this? Because, apart from the physical transfer of powers there has to be a psychological transfer, a psychological adjustment. This is not what they had enlisted for. How do they feel about this? Were they ever consulted? Probably the AG sees no reason for consultation because I heard him speak, albeit quoting from a friend, that they are some “big hard back men” running up and down the hills having nothing to do. He even questioned what are the possibilities of our country being attacked? As far as he is concerned, from what he said, the defence force has absolutely no purpose, no *raison d'être*. They should not be there.

Mr. Speaker, it will require a paradigm shift. It will require intensive and extensive training for soldiers to make this psychological adjustment. It is not simply a question of training *per se*. It is a question of undoing the intensive training to which soldiers were subjected, and retraining them to adapt to the roles and functions and indeed to the attendant psyche and behaviours of the police force.

The Attorney General, as well as the Minister of National Security spoke of training and the curriculum—I call it a curriculum, as an educator—to which they referred, sounded impressive. The Member for Oropouche East also spoke about it, very impressive, but I am left to wonder whether this training that they wish to implement will achieve its goals and objectives, given this Government's

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penchant for hastily delivered “crash courses”, as obtained in the training of teachers in the delivery of the integration of information and communications technology in the curriculum, and the Continuous Assessment Component of the new SEA curriculum.

**5.50 p.m.**

Mr. Speaker, when I think of those courses that were so hastily delivered and pertained to the education of our young people, I wonder about the training for the soldiers and I have my doubts.

Mr. Speaker, when we seek to implement strategies in this country we always look at practices in other jurisdictions, and I would like to look at this practice of conferring the powers of police on soldiers and soldiers working alongside police. I would like to look at it in other jurisdictions, and I have used some jurisdictions in the Commonwealth, like Great Britain, New Zealand, Jamaica and India, and I will be very brief.

Mr. Speaker, British law, on which our laws are based, did not give soldiers the powers of police even in embattled Northern Ireland. Mr. Speaker, the soldiers worked alongside the police, supporting and assisting them in their efforts to fight crime. Mr. Speaker, the whole world was aware of the heinous crimes that were committed in Northern Ireland—the murders, the kidnappings, the burnings, the lootings that were committed in the height of the religious wars in Northern Ireland. Yet, Great Britain did not enact one single piece of legislation that would ascribe to soldiers the powers of police. That never happened.

In New Zealand, very much of the same applies, Mr. Speaker—soldiers working alongside police in certain disturbed areas and assisting and supporting them in their efforts to restore peace and calm. Mr. Speaker, this happens in many, many countries, but the country I would like to go to now is Jamaica because I heard the Member for Oropouche East speak of Jamaica. *[Interruption]* Yes, I have to deal with this issue of Jamaica.

Mr. Speaker, I would like to refer to—and before I refer, Mr. Speaker, just like in this country, the soldiers work the streets in Jamaica alongside the police, especially in areas with high crime rate. There are joint army and police patrols and they are employed especially by way of intervention in the case of uprisings or in a state of emergency, and Jamaica has had its fair share of uprisings and crime.

The Chief of Defence Staff in Jamaica has the authority—and everywhere—to extend the time frame for the intervention in the particular area of concern or to

terminate it when the problem has been resolved. More importantly, Mr. Speaker, Jamaica has resisted legislation. He spoke about Jamaica. I will speak more about Jamaica. They resisted legislation that will confer upon the Jamaican defence force the same powers as the Jamaican constabulary force, Mr. Speaker. They recognize the constitutional implications and the dangers of doing so.

It is noteworthy, as the hon. Member for Oropouche East said, that Jamaica has actually recorded a decrease in crime rate. Is that not the objective of what we wish to achieve in the country, Mr. Speaker—reduce the crime rate? Mr. Speaker, I would like to look at a case study in Jamaica and see how they did this, and I should like to refer to an article dated February 03, 2011 from the *Jamaica Observer* by Mark Wignall.

Mr. Speaker, the security forces made a most violent incursion on Jamaica's most heavily armed community, and I am sure we all remember that was in Tivoli Gardens, the home of Christopher "Dudus" Coke, Mr. Speaker. In the immediate months following this violent incursion, the murder rate did fall, just as happened after our state of emergency—same thing. Everything was suppressed. Crime was suppressed, and the murder rate fell by an amazing 42 per cent, but this rate was not sustained for any reasonable length of time, Mr. Speaker. Just as it happened after our state of emergency, crime started to rise.

Mr. Speaker, a press release on January 06 coming from the communication arm of the Jamaica Constabulary Force stated the following:

"All major crimes...declined in 2010, when compared to 2009, by an overall"—not only murders—"seven per cent.

Small but significant—very significant—for Jamaica that was suffering the scourge of terrible crime. The article goes on:

"Murder, which is considered to be the key crime indicator, decreased by 15 per cent..."

Not the 42 per cent that was after the incursion into Tivoli.

"decreased by 15 per cent in 2010 compared with 2009."

That is significant and I am happy for Jamaica that this happened. The article contends that the ferocity of the incursion in Tivoli Gardens cannot be ruled out as a causative factor in the 15 per cent reduction in the murder rate. So it had its purpose, Mr. Speaker, but it came at a very, very high price. It is believed that as many as 200 people were killed.

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However, it is noteworthy that after this Tivoli Gardens incident, the Jamaican government implemented several murder-reduction strategies which included:

- Training detectives in better practices...
- Improving the equipment needed to deal with forensics.
- Adopting a better approach to policing in general.
- A tightening of operational procedures.
- Good leadership of the Jamaica Constabulary Force.
- The cooperation of the Jamaica Defence Force with the constabulary force.

Mr. Speaker, I read in the *Newsday* newspaper on Saturday, March 09, 2013, an article entitled, “Portia's three-pronged crime plan.” You see, she is the Prime Minister and she is revealing to her country her crime plan. [*Desk thumping*] We cannot get one revealed here at all, from no one.

They are quoting her:

“‘We have been building the human resource capacity, increasing training, improving skills and the technology available to the police force,’ the prime minister outlined. The prime minister pointed out that the policy of the government is to transform the police force into a modern, more effective, responsive and responsible police service.”

That was the Government’s policy.

Mr. Speaker, nowhere in that article, from the *Jamaica Observer* or in Prime Minister Simpson’s crime plan did I see any intention of enacting legislation that will give police powers to the army—to the Jamaican defence force. Nowhere did I see that. They are implementing their plans and they are getting results. I have to ask: why is it, therefore, that we cannot do the same? Because Jamaica—we do not even have a crime situation as bad as Jamaica and they are not enacting this draconian and dangerous sort of legislation.

Mr. Speaker, the last jurisdiction I would like to look at is India, and my colleague from St. Ann’s East did refer to it when she spoke. I shall be very brief on it, but I feel that repetition is the best way to reinforce the point, Mr. Speaker. I got this article from wikipedia.org and it is called the Armed Forces (Special Powers) Act (AFSPA). Mr. Speaker, the Government of India enacted the Armed Forces (Special Powers) Act to legitimize the presence and acts of armed forces in emergency situations which have been deemed warlike.

**Mr. Imbert:** Disturbed areas.

**Mrs. P. Mc Intosh:** According to AFSPA, in an area that is proclaimed as a disturbed area, an officer of the armed force has the powers to:

- Fire upon and use other kinds of force, even if it causes death, against the person who is acting against law and order in the disturbed area for the maintenance of public order. This is after giving due warning.
- Destroy any arms dump, hideouts, shelters or training camps.
- Arrest without a warrant anyone who has committed recognizable offences or is reasonably suspected of having done so and may use force if necessary for the arrest.
- Enter and search any premises in order to make such an arrest.
- Stop and search any vehicle or vessel reasonably suspected to be carrying such persons or weapons.

And, of course, when somebody is arrested, they take them post-haste to the nearest police station to the officer in charge.

The army officers, just like we are purporting to do here, Mr. Speaker, with this Bill—this Bill is proposing to give protection to the army. It is the same in India:

- Army officers have legal immunity for their actions. There can be no prosecution, suit or any other legal proceedings against anyone acting under that law.

**Mr. Imbert:** Tell them.

**Mrs. P. Mc Intosh:** Mr. Speaker, however, several amendments had to be made to this Armed Forces (Special Powers) Act (AFSPA) because in August 2004 there was an outcry against the Act by civil society calling for its repeal in the wake of several deaths and several acts of fasting by various community activists. The Jeevan Reddy Commission which was mandated by the central government to review the Act, declared it to be inhumane. Since 1991, the United Nations Human Rights Committee has questioned the validity and the constitutionality of this Armed Forces (Special Powers) Act under Indian law. It also queried its justification in light of Article 4 of the International Covenant on Civil and Political Rights.

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On March 30, 2012, the UN asked India to revoke AFSPA, saying “it had no place in Indian democracy”, describing it as “hated” and “draconian”, clearly violating international law. In addition, a number of UN treaty bodies have pronounced it to be a violation of international law and have described it as a “tool of state abuse, oppression and discrimination”. It is believed that the provision for immunity for security forces urges them to act more brutally.

Mr. Speaker, all these violations have been carried out under the cover of this very Armed Forces (Special Powers) Act. Mr. Speaker, despite what the Member for Pointe-a-Pierre said to mitigate the effects of such acts in places like Latin America and so on, we do have a lot of cases of the abuse and the violations of the rights of citizens in Africa, Middle East, Latin America, Zimbabwe, Egypt, Syria, Israel and Argentina. There is documented evidence, Mr. Speaker, of the atrocities that are performed under these similar acts. This situation is of great concern to international peacekeeping bodies.

Mr. Speaker, it has been over 53 years since the United Nations Universal Declaration of Human Rights was signed by most governments in the world, yet abuses continue to grow through legislation such as the Armed Forces (Special Powers) Act. Mr. Speaker, I have to wonder, are we prepared, are we willing to resort to any means whatsoever to fight crime at the risk of seriously violating our human rights? Are we prepared to join the list of countries known for the violation of human rights, and then have to return, shamefacedly, to this very Parliament in the face of international pressure to repeal this treacherous piece of legislation? They say it is a sunset clause of two years. It is two years too many, Mr. Speaker, and the number of atrocities that could be committed in those two years is not warranted.

Mr. Speaker, all the Members whose constituencies are considered troubled areas and hotspots must be gravely concerned, especially on this side of the House: the Member for Port of Spain South; the Member for Laventille East/Morvant; for Laventille West; my good self; the Member for Port of Spain North, Mr. Speaker, and the other Members on the other side who might have hotspots in their areas. We have to be concerned because we have seen many of our constituents under that ill-fated, ill-advised, unwarranted state of emergency in 2011; we have seen many of our constituents suffer under that senseless state of emergency.

Seven thousand, six hundred of them were arrested; 4,000 were incarcerated, only to be released days after, and one of them—only one of them—remains in

jail awaiting trial. Mr. Speaker, that is a national disgrace and we are not allowing that to happen to our constituents.

**6.05 p.m.**

Mr. Speaker, the AG must clarify certain issues that are of grave concern to the national community. I was listening to a radio programme this morning and I heard people calling in and asking questions—because this Bill is going to affect the ordinary man in the street and he wants to know. People are saying that they are talking about it, but we do not have the information; nobody is giving us the information that we want to know. They want information like this: how many soldiers we are talking about; how many would be selected; what criteria will be used in the selection process; where exactly will they be deployed, in specific areas or country-wide?

Mr. Speaker, this is my question: have the rules of engagement been carefully worked out? For example, exactly how will the soldiers operate alongside the police; under whose command will the soldiers be operating when they are assisting the police? Mr. Speaker, will it be the Chief of Defence Staff or the Commissioner, or both? I ask this because there will inevitably be a blurring of function in the provisions of the Defence Act and the Police Service Act.

Mr. Speaker, I would like to quote from the *Guidebook on Democratic Policing* by the Senior Police Advisor to the Organization of Security and Cooperation in Europe (OSCE) General Secretary. I got this from the website, [www.OSCE.org/spmu/23804](http://www.OSCE.org/spmu/23804). The article says and I quote:

The military are not governed by the same code of conduct, transparency and accountability as the police. Where the military is given the same powers of arrest as the police or where police forces become militarized, this mirrors authoritarian regime practices where the focus is on responsive rather than preventative measures. A lack of external accountability can develop, as military investigations into officer misconduct can be conducted internally. It would be more difficult to hold military police to account. Corruption is easily facilitated. Police abuse and extrajudicial killings, if they do occur, are more easily allowed to pass without detection. There is a high possibility of civilian casualty and violation of human rights as a result.

The line must be drawn between a protective state where the Government utilizes its monopoly on force to protect citizens' rights, and a predatory state

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which undermines the fundamental rights of the people. This is a very thin line—between a protective state and a predatory state—and it could be easily blurred and easily crossed.

Crises may lead to the erosion of rules separating domestic policing from military functions. Crises, actual or perceived, provide an opportunity for the Government to increase the size and scope of its activities. There is often a public outcry for the Government to do something—everybody wants the Government to do something—but the use of an army as a domestic policing unit should not be an ineffective Band-Aid as it is a dangerous last resort and the ensuing disproportionate use of force could lead to an abuse of power.

Mr. Speaker, it is not clear under what circumstances a soldier may conduct an arrest. What are the rules that bind such an arrest?

**Hon. Member:** None!

**Mrs. P. Mc Intosh:** Is this to be a situation of arrest under a state of emergency, or arrest anytime the soldier feels to arrest someone? Can the prisoner be held without bail and without trial as a result? We have to remember what happened to our constituents under the ill-fated state of emergency of 2011. Could a civilian be arrested and investigated under this law, under this new dispensation, face trial in a military court? The public wants to know that. Is it possible?

Mr. Speaker, section 4 of our Constitution states and I would like to quote:

“It is hereby recognized and declared that in Trinidad and Tobago there have existed and shall continue to exist, without discrimination...the...following fundamental human rights and freedoms, namely—

- (a) the right of the individual to life, liberty, security of the person and enjoyment of property and the right not to be deprived thereof except by due process of law;
- (b) the right of the individual to equality before the law and the protection of the law;”

I go to (d), Mr. Speaker:

“The right of the individual to equality of treatment from any public authority in the exercise of any functions;”

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member has expired.



*Motion made:* That the hon. Member's speaking time be extended by 30 minutes. [*Miss M. Mc Donald*]

*Question put and agreed to.*

**Mrs. P. Mc Intosh:** Thank you, Mr. Speaker. Thank you, colleagues. In addition, Mr. Speaker, no law may infringe any of the rights and freedoms recognized under section 5(1) of our Constitution—

“Except as is otherwise expressly provided in this Chapter and in section 54, no law may abrogate, abridge or infringe or authorize the abrogation, abridgement or infringement of any of the rights and freedoms hereinbefore recognized and declared.”

But by virtue of the intent of this Bill, Mr. Speaker, it seems that this UNC Government is predisposed to interfering with the Constitution by invoking section 54, in full violation of the fundamental human rights and freedoms of an individual. Is that what we wish for in this country where we enjoy freedom of speech, freedom of movement; where we enjoy certain basic freedoms? We are a free country. Is this what we wish: to have this infringement on our human rights be institutionalized or legitimized?

Mr. Speaker, I have to ask myself: if the mandate is to boost capacity in the police service, why not just recruit more people and train them to be policemen? [*Desk thumping*] Whatever happened to the plan to recruit 10,000 SRPs? This article in the *Trinidad Express* by Anna Ramdass on August 19, 2012, entitled, “Rush for cop jobs.”

“...31,000...applied for 5,000 positions of special reserve police (SRPs).”—more than 31,000 applied.

“As a result, National Security Minister Jack Warner yesterday said he was going to approach Cabinet again this Thursday with a note to hire 5,000 more people as SRPs.

This will bring the number of SRPs to be hired to 10,000 as Cabinet had last week approved Warner's request for an initial 5,000.

Warner said that the country would be safer in days to come with an increased police presence.”

Mr. Speaker, I do not understand. If you have a plan you would be going ahead with a plan. One day it is this, the SRPs; another day is this Bill here to give police powers to the regiment. The Acting Commissioner of Police said we would be

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able to do things that we could not do in past with all these people. Where are all these 10,000? I have here a list of countries by number of police officers published by the United Nations. The United Nations recommends a minimum police strength of 222 police per 1,000 people. That is minimum. This was published in 2006, so we have to make the adjustment. We are now seven years after.

**Dr. Browne:** Per 100,000.

**Mrs. P. Mc Intosh:** Per 100,000, yes.

Mr. Speaker, when I look at the figures for Trinidad and Tobago: in 2006, we had 6,500 policemen—we had 529 police per 100,000 people—307 more than the 222 recommended by the UN. But let us say that in times of this escalating crime that we are having here, that we want to have more, why not just increase the number of police officers to—Mr. Speaker, as a matter of fact, we have 7,700. That is what they said. Whether they say 2,000 are active and the rest are on sick leave or on vacation—*[Interruption]*

**Hon. Member:** Shift.

**Mrs. P. Mc Intosh:** On shift. But they are still working if they are on shift. So I do not understand why they are not active. If you are on shift you are still active.

**Hon. Member:** Exactly!

**Mrs. P. Mc Intosh:** I do not understand the point. But if we have 7,700 and we recruit this 10,000 that he says he is going to recruit—he said it! He said 5,000 approved by Cabinet and he is going back for another 5,000. It will do wonders, both he and the acting Commissioner of Police said. So that will make it 17,000 police. How many—I cannot work out the maths here—per 100,000 people?

**Dr. Browne:** Number one in the world.

**Mrs. P. Mc Intosh:** We will be number one in the world, Mr. Speaker. Well, let us go for that—number one in the world in terms of policing—if police is the problem.

Mr. Speaker, I think, instead of complicating matters by giving soldiers the same powers of police and running the risk of validity and constitutionality issues, and political interference and influence, and the abrogation and the violation of the rights of the citizens, we might just as well increase the number of police and train them. Why are we bringing soldiers into this? They have their duty and responsibility as I showed in accordance with their Act.

So instead of militarizing our nation, what we need is smart policing. First of all, we need better and more competent leadership; we also need to train—[*Desk thumping*]*—*police in detecting and prosecuting crimes because the detection rate, as the Minister admitted, is a meagre 20 per cent; we need to improve the witness protection programme; we need to repair and upgrade the facilities and equipment at the forensic centre and increase its staffing; we need to fully computerize the operations of the police service and install more electronic equipment such as surveillance cameras and radar equipment; we need to supply more vehicles—they said they are doing that. I am glad to hear—for use by police officers and increase the visible presence of police in communities.

Mr. Speaker, I went to a police station that I will leave unnamed. Leave it to your mind to know which station it is in my constituency. I went to query the lack of police in my constituency because my constituents were complaining that they are not seeing police on the street. The senior officer, the officer in charge, informed me, “They are there you know, but most of the time they in plain clothes and in the bushes doing surveillance work. So you would not see them.” I am talking about visibility and that is the answer I got—most of the time “they in plain clothes and they in the bushes doing surveillance work”. They say they are looking. They are looking to see to protect you all who are coming and you would not see them. Mr. Speaker, yes, right!

**Hon. Member:** They have on camouflage.

**Mrs. P. Mc Intosh:** Mr. Speaker, we have to improve—they say we are not making suggestions, we are not making recommendations. I am making them—we have to improve police response to calls from civilians for assistance. The police rapid response is too slow or there is no response at all.

In my constituency, as one enters Cascade, there is a street strategically placed for all to see, Riverside Road, and for the past year and more, a gentleman who owns a business in that residential area—he bought the property and turned it into a business—parks his big blue van—Mr. Speaker, if you go there now you will see it. I saw it when I was coming down—a huge massive blue van and his other vehicles on the bridge, and he takes up that whole side of the road. It is a narrow road, so he takes up one side. He poses a threat to motorists and a threat to their lives on the roadway.

Mr. Speaker, I have written the police, I have gone in to them, I have begged them. Sometimes when I am coming from church I drop in to ask them, I drop in, in the week, sometimes almost on my way home I will come back. I go because I

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cannot stand it. The residents are complaining and complaining about the dangers to their lives that are being posed with this van being parked on this thing.

**6.20 p.m.**

Mr. Speaker, three weeks ago, I came, because I could not get through, and I addressed the issue with the Member for Chaguanas West and the Minister of National Security. He immediately called up and gave me the phone to speak to Mervyn Cordner. Sorry, Mr. Speaker, not Cordner—to Mervyn Richardson. [*Crosstalk and laughter*]

**Hon. Member:** Good one. Good one.

**Dr. Moonilal:** It is you who arranged that.

**Mrs. P. Mc Intosh:** Mr. Speaker, Senior Superintendent Richardson listened to what I had to say, and he promised me that it will be addressed—that the problem will be addressed.

**Mr. Imbert:** The SAUTT man?

**Miss Cox:** The SAUTT man?

**Mrs. P. Mc Intosh:** The SAUTT man. “No, doh put words in meh mouth.” [*Laughter*] Mr. Speaker, to this day, that van “still there”—

**Hon. Members:** “It still there?”

**Mrs. P. Mc Intosh:**—in full—flaunting this transgression of the law in the face of everybody. What I am saying, Mr. Speaker, if the police and if the Minister of National Security cannot handle a simple transgression of the law like that, well then, what could we expect with the crime rate [*Desk thumping*] because that man is breaking the law. I understand that he is a supporter of this Government—[*Interruption*]

**Hon. Members:** Ooooooh!

**Mrs. P. Mc Intosh:**—so he is there breaking the law for all to see, and I am fed up. I am sure the Member for Barataria, when he passes—he has to pass there—look. If you have not noticed because “yuh so busy”, probably, look; “just do your head so”, just look.

**Dr. Khan:** I never noticed that.

**Mrs. P. Mc Intosh:** You never noticed?

**Dr. Khan:** No.

**Mrs. P. Mc Intosh:** “But is right there in yuh face. Ah big blue van!”

**Hon. Member:** Where?

**Mrs. P. Mc Intosh:** “Ah big blue van right there on Riverside Road.”

**Dr. Moonilal:** “I feel you imagining things, yuh know!”

**Mrs. P. Mc Intosh:** “Ah huge massive blue van.” Mr. Speaker, it is taking up the entire road on the bridge. That is the man’s parking place.

Mr. Speaker, if this Bill is purporting to address crime in the hotspots, the crime in these hotspots are mostly homicides and they are mostly associated with gang-related activities, and fuelled in large part by the narco-trafficking trade. The hon. Minister of National Security in his contribution stated that 41 per cent of the country’s murders take place in Laventille. I heard the Member for Port of Spain South objecting to that. [*Crosstalk*] Yes. So this Bill is targeting the criminal elements in Laventille and other hotspots.

The question begs: why is this Government not increasing its effort to target the source of the problem? “The big businessmen who fund the importation of drugs and ammunition. [*Desk thumping*] Why are we targeting only “the small man in the thing”? Why are we not going for the big ones, the source of the problem? That is what I want to know.

The hon. Minister stated that section 3 of the Customs Act Chap. 78:01 and section 5(1) of the Motor Vehicles and Road Traffic Act give customs and transport officers respectively the same powers of police. Then, should not the hon. Minister be concentrating on ensuring that the provisions as provided in the Customs and Motor Vehicles and Road Traffic Acts are enforced and their capacity beefed up to ensure the detection of those persons who are bringing the drugs and ammunition into the country, and those who are transporting the drugs and ammunitions to various points in the country and who are really at the core of most of the heinous crimes in this country?

Mr. Speaker, but you see, because this Government does not have a comprehensive plan, this is not happening. Because if it did, it would seek to coordinate the efforts of the police, the defence force, the customs division, the coast guard, the immigration and the transport division so they could work effectively and efficiently alongside each other to solve this crime situation.

I see Sergeant Ramesar, the police social and welfare Acting Inspector saying the same thing in an article in the Sunday *Guardian* on March 11. He said the

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Police Service is a scapegoat. I feel sorry for them, Mr. Speaker, they are really trying at times. Although they did not move the blue van, but they are trying most times. The police service is a scapegoat. Everybody must pull their weight. He said soldiers, coast guard, customs, immigration must do their job to apprehend those who are responsible for all this crime. We cannot just zero in on the small man, Mr. Speaker. Most times, he is a victim; a victim of the system.

Mr. Speaker, in this way, instead of just, as I said, zeroing on the small man, we will be able to apprehend those who prey on the vulnerability of those poor and often dispossessed souls in Laventille and the other hotspots. Yes, Mr. Speaker, hon. Minister of National Security, many of them are dispossessed, and, you know, in need of a lot of rehabilitation. We have to be compassionate to all.

But, you see, this Government has no plan, so they bring—what have they done? They have left our borders unguarded, unprotected and porous, because they have cancelled the contract for the OPVs. I will not go more into that. [*Crosstalk*] Yes, we have to say it [*Desk thumping*] because the People's National Movement intended to utilize these OPVs to intercept the narco-trafficking trade which I was just talking about, thereby protecting our shores from the importation of illicit drugs and ammunition.

In addition, they dismantled the special anti-crime unit, SAUTT, in which millions of dollars was invested to develop the capacity to fight crime—a lot of training, a lot of equipment. They destroyed the airships that the PNM used for intelligence gathering. They terminated the repeat offender programme which will provide rehabilitation for repeat offenders, cause them to be rehabilitated.

Now, they come to this honourable House, to this esteemed Parliament, seeking to pass a potentially—I say potentially, “eh”, Mr. Speaker—treacherous piece of legislation that begs the questions about its very validity and constitutionality and it targets the small man, many of whom happen to be my constituents, and indeed, the constituents of many of my colleagues on this side of the House.

While all the Members, all my colleagues on this side of the House, would love to see a reduction in the murder rate, they say we want to see it go higher. Why? Who wants to see, Mr. Speaker—this is an unfair comment that they make here and we have to stand up on this, Chief Whip. [*Desk thumping*] We have to stand up on this because who in this country wants to see murders increase? Who wants to hear about anybody being murdered? And they keep telling us that! Mr.

Speaker, we should not tolerate that. I am begging my Chief Whip that we must not tolerate that, we must stand up on a Point of Order for that. We are not to tolerate that comment.

**Dr. Moonilal:** You are instructing the Chief Whip?

**Mrs. P. Mc Intosh:** I am asking—requesting of the Chief Whip. Sorry if I used the wrong word. We must ensure—[*Crosstalk*] We are not against any meaningful, well-planned strategy, but we must ensure—we are the checks and balances. Why is it that they do not want us to provide constructive criticism so we can get the best? Already, I heard them say they are taking into consideration recommendations.

**Dr. Moonilal:** Yes.

**Mrs. P. Mc Intosh:** If there was not a hue and cry, they would pass this Bill, as imperfect as it is, and the consequences, Mr. Speaker, I do not know what they would have been for this country. But, we are the checks and balances and we have to give our opinions and when we do that, Mr. Speaker—yes, Minister, “you all upset”. But, we must ensure that strategies—you know, Minister of National Security, “ah doh mind if dey upset, yuh know, but dey get insulting when we trying to help the country”. We are! [*Mr. Jack Warner points at himself*] Not you, not you, [*Laughter*] “but dey get insulting”, but you did not get “Mr. Thing” to move the van, Sir. [*Crosstalk*]

**Mr. Warner:** Tomorrow!

**Mrs. P. Mc Intosh:** Or, tomorrow, good! [*Laughter*] We must ensure, Mr. Speaker, that the strategies implemented do not violate the human rights of any of our citizens—victims as well as criminals. Nobody’s human rights must be violated and we are here to ensure that. We are the watchdogs for the people. That is what we are!

This UNC Government declared this unwarranted, ill-advised state of emergency, locked down Laventille, our people suffered. They passed the bail amendment and anti-gang legislation—very draconian pieces of legislation. What happened with all of that? Crime went down for a while and it started to pick up again. Last year, we had five kidnappings—was last year, 2012?

**Dr. Moonilal:** Kidnapping for ransom?

**Mrs. P. Mc Intosh:** What happened? Was crime abated? No. They come now with this Bill to legitimize, again, once more, the locking down of Laventille and the crime spots. This will lead, I charge, to the abuse of ordinary citizens and the violation of their constitutional rights, and at the same time, it has the potential for

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creating an army outside of the army, beyond the army, operating in civilian space under the dictates of this Cabinet. Mr. Speaker, really I have to say now, in its current form, in its present form—probably if it is amended, I do not know, but currently as it is presented to the Members on this side, we cannot this support this Bill.

Mr. Speaker, crime is learned. It is not intrinsic, it is not innate or inherent. Nobody was born a criminal. Mr. Speaker, as adults, as politicians, educators, religious leaders, community leaders, business professionals—all adults, we must be very wary about the examples, the values, the morals, that we impart to our younger generation. It is incumbent on every one of us to instil within our young people basic good manners, common courtesies, respect for life, respect for self, respect for each other and respect for each other's goods and property.

Parents and educators particularly have a critical role to play in nurturing young people and transforming them into socially, well-adjusted individuals capable of making a meaningful contribution to our society. It is our duty, Mr. Speaker, to steer our youth away from actions and activities that would transform them into a menace to society. Should we fail to do this, we shall be guilty, as they are, of this crime situation.

How could we promote this character development that we are speaking about there, in our youth, when our very words and deeds, our own characters, our very integrity, are visibly questionable? How could we talk to young people about bullying when we are openly guilty of such negative behaviour? How dare we speak of moral authority when it is obvious that we, ourselves, possess none! Mr. Speaker, children emulate the behaviour of their leaders. Young people see and learn from us. Seeking to enact legislation that will punish and oppress young people and violate their human rights is simply not the answer, since they themselves will eventually become the bullies and the oppressors.

Mr. Speaker, dare we speak about establishing peace and unity—as the hon. Minister of National Security said, we must establish peace and unity—when we are seeking to legitimize a system where law enforcement powers are ascribed to the military; a system that has the real potential to utilize violent strategies to fight violent crimes creating divisiveness in our society—a “we versus them” syndrome? As we would say in local parlance, we must, all of us, “watch our contents” and make every effort to become better examples to our nation's youths. There is no better place to begin than in this very Parliament, the highest legislative Chamber in our land.

Mr. Speaker, I thank you. [*Desk thumping*]



**The Minister of Tourism (Hon. Stephen Cadiz):** I thank you, Mr. Speaker, for this opportunity to speak on this Bill.

**Dr. Moonilal:** Let them have it.

**Hon. S. Cadiz:** We heard a lot about blue vans—we heard about 10 minutes of blue vans blocking a road in—[*Interruption*]

**Mrs. McIntosh:** Yes, very important; not to you!

**Hon. S. Cadiz:**—in St. Ann’s.

**Mrs. Mc Intosh:** You do not care. It is a crime.

**Hon. S. Cadiz:** Just a whole host of things that really and truly, when we look and get down to the business of fighting crime, it really and truly did not have very much to do with that.

I heard from the other side, from the Member for Laventille East/Morvant, about no moral authority. I really want to know how come those on the other side could ever, ever, sit in this Parliament and talk about moral authority. How could they ever, ever want to do that? [*Interruption*] “Eh?” You all have sat there for—what?—nearly 10 years mismanaging this country in a way that it was unbelievable. What you all did to this country, what you all did to the moral fabric of this country, and you can sit there and talk about us and moral authority? I just cannot believe my ears when I hear that. For what you all did and until—I will tell you something. Mr. Speaker, until those on the other side have the—get some sort of strength; have the strength to apologize to this country [*Desk thumping*] and we keep saying it. Apologize to this country for what you did. Apologize to this country. Bathe in the Ganges or in the Caroni River for what you did to this country because it has started with all of you all.

### 6.35 p.m.

I remember—you want to talk, Member for Port of Spain North/St. Ann’s West—and they keep on bringing up my very, very good friend, Mr. Keith Noel and they are always using that as a political issue. When it is that the Keith Noel committee went from door to door in this country, begging and pleading, those who say they have the moral authority to do something about crime, they did absolutely nothing. [*Desk thumping*] Nothing was done. Absolutely nothing was done and they want to sit there and talk about moral authority when, in 2008, 550 murders. And they want to talk about moral authority?

**Mrs. Mc Intosh:** We brought it down.

**Hon. S. Cadiz:** Mr. Speaker, when I came into office in May 2010—and I would do like the Member for Port of Spain North/St. Ann’s West and “doh call de name ah de police station because dey” have more than one police station in my jurisdiction—there were three motor cars—and this is coming right after them, you know—three motor cars, of which two were working and out of the two, one did not have a reverse gear. If we “hah tuh run down” criminals in my constituency, the criminals had to be moving forward at all times. You could not reverse to go and find them.

**Mrs. Mc Intosh:** The same thing going on now.

**Hon. S. Cadiz:** In 2010, there was a police audit, a human resource audit was done, I believe, in the mid-90s. The complement of officers in that police station in 2010 was below the recommendations of the audit that was done in the mid-1990s. And they want to talk about moral authority? They want to talk about who not fixing crime, when they sat and did nothing, absolutely nothing. [*Desk thumping*]

They talk about the OPVs and they talk about the blimp. The sad part about the blimp story is when we put the blimp up for auction, not one single law enforcement agency in the world wanted to buy it and they talk about that as being their prime crime-fighting thing, when the motor car in Chaguanas could not get a reverse gear. For months it had no reverse gear but “yuh going tuh buy blimp and yuh going tuh” spend billions of dollars on OPVs when “ah cyah get ah reverse gear”? And you want to talk about managing crime?

**Mrs. Mc Intosh:** Same thing happening.

**Hon. S. Cadiz:** No, I am very sorry to sit here and to hear that. It is totally ridiculous. Those on the other side should be ashamed, ashamed, ashamed, ashamed! They never had a crime-fighting plan. The Minister of National Security has come here and is telling this population—to try and ease the stress in this population—talking about a decrease in the increase. “Eh”? That was the crime-fighting plan when they were in office, a decrease in the increase. And they expected the population to buy that. I am very sorry and I am surprised that they can actually sit there and make these statements.

The Member for Port of Spain North/St. Ann’s West coming again and talking about freedom of speech and that we on this side are taking away freedom of speech. It is their Prime Minister who left a barber shop in San Fernando to drive with a police escort into Port of Spain to go and “bouff up” two young boys in a radio station.

**Miss Cox:** That did not happen.

**Hon. S. Cadiz:** Okay? Oh, it did not happen? That did not happen?

**Miss Cox:** He did not “bouff up no boys”.

**Hon. S. Cadiz:** Gone and “bouff up”, get the two “lil” boys fired, “eh”, for making a statement against the Prime Minister. And you talking about freedom of speech? I do not understand this.

When we start talking about this Bill, we are in trying times. It is very, very simple. The crime that was there 20 years ago, 30 years ago, 40 years ago, 50 years ago, is not the crime that is there today. The money that the criminals make now off the—especially as the Member for Pointe-a-Pierre was talking about and alluding to, the issue with the drug money. Okay? There is too much drug money in the system that is going to create a different type of crime and when we see these horrible murders that are happening, all of that is part and parcel of it.

Therefore, we cannot, as a responsible Government, which we are, just sit down and say there is a decrease in the increase in the murder rate and, therefore, we are not prepared to do anything. That is not how this Government acts. That is not the purpose of this Government. This Government is here to improve the quality of life, to create a safe country for people to live in. That is what we are doing.

What the Member for Chaguanas West, Minister of National Security—this programme that he has brought, by bringing in these officers from the regiment, is a good, good deal. It has to be. We can get more officers on the street to protect the citizens of this country and they do not want—I do not know what it is that they do not understand about that.

I want to go back to June 26, 2008 in a *Guardian* article by Kyle Jeremiah and I quote:

“Prime Minister Patrick Manning came out in strong defence yesterday of the presence of soldiers in Richplain, Diego Martin, after the shooting death of an army corporal Ancil Wallace and his friend Noel Charles last week.

...Manning insisted that the army presence in Richplain was an old strategy being employed by the Government for many years.

Pressed on whose authority the army acted, Manning said, ‘the Government of T&T does not act illegally. They (the army) acted in the rule of law.’”

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He said—Mr. Manning—then:

“the Government of T&T”—that was in 2008—“does not act illegally.”

And what was SAUTT?

Here it is that we are talking about acting legally and then they go and install a parallel police service, which was SAUTT—a parallel police service made up of army officers—made up of, according to one of the Members on the other side, firemen; made up of all kinds of people; and they were running this parallel police service, which was illegal, a completely illegal entity. And what we on this side are doing is bringing this Bill to ensure that when the army goes out to support the police service that they are a legal entity when they are out there.

Mr. Speaker, we have in Trinidad—from game wardens, immigration officers, custom officers—all have the power of arrest under the Act that they are governed under in Trinidad and Tobago because we realize that the police cannot be everywhere at the same time to do this work and, therefore, various different organizations and agencies have the power of arrest. And, therefore, what we are bringing here is not something that is new at all.

Mr. Speaker, the landscape in this country—between 1990 and September 17, 2001—has changed with crime and security, and it is even evidenced by this same Parliament in the Red House, which was attacked in 1990.

Therefore, what we took for security in those days, what we took for everyday instances was to longer. When 1990 happened it was no longer. Security changed in the country and, therefore, it could not only now be the police but we need the support of the police. We need the support of the regiment. We need the support of the coast guard. We need the support of all those other agencies also. And there are many countries in the world that have amended their laws to bring in the military in certain circumstances and that is exactly what we are doing here with the sunset clause. It is coming in and there is a sunset clause that it goes after two years.

So when they talk about creating a military state, I mean what—I do not want to use the word that the Member for Diego Martin North/East uses, but how can you sit there and talk about we becoming a military state? *[Interruption]* No, “ah cyah say it because de Speaker done ban yuh a’ready fuh using that word.”

**Mr. Imbert:** What word?

**Hon. S. Cadiz:** No, I would not say it.

**Mr. Sharma:** Just ignore him.

**Mr. Indarsingh:** Why “yuh” antagonizing him?

**Mr. Imbert:** He is!

**Hon. S. Cadiz:** Mr. Speaker, when you look, for instance, in the UK, where the typical English—what is known as the English bobby, walking around with a piece of wood in his hand, a baton, and he was patrolling the streets in the UK. When you go to the UK now, yes you see the English bobby walking with the same baton, but you also see fully-armed members of the national security service in England also patrolling the streets. You see them in the airports. You see them all over government buildings wherever. You see them patrolling the streets fully armed to the teeth, not the English bobby, because England also has suffered from all kinds of terrorist incidents and what have you. They recognize that you cannot put an ordinary English bobby on the street to secure the citizens of the UK and, therefore, you need this extra security and there is nothing wrong in what we are doing here, absolutely nothing.

**6.50 p.m.**

When you look, again, at our neighbours in the area, Nicaragua, Panama. Panama has one of the highest GDPs in the area. Panama is a country that people are investing in. Panama is moving leaps and bounds ahead with investment and all of that and they use their army for the same reason.

Mexico: Mexico with the drug wars. Who is fighting the drug wars in Tijuana and certain areas in Mexico? Who is fighting the drug wars? It was not the English bobby type. These are military people going out there because that is the force that is needed to fight that type of fight. What we are fighting here in Trinidad and Tobago, when you read that the police are picking up AK47s in Laventille and picking up all kinds of high-powered weapons and weapons with laser and what have you—

**Mrs. Mc Intosh:** Not Laventille. Not Laventille.

**Hon. S. Cadiz:** Laventille and many other areas in Trinidad, all right? When you read of what the people are finding, the ordinary police officer cannot, I do not believe, be a match for some of those. I am not talking about all, but for some of those and, therefore, the support from the army that has the fire power, that has that other specialized training, that is what we are going to need to rid these streets of these criminals.

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Mr. Speaker, the soldiers of the Trinidad and Tobago Regiment are not only trained for war. Trinidad has never gone to war, so I do not believe that the training is only for war. From what I understand, from their initial 14-week basic training period, they are not only taught about weapons and defence, but also about conflict resolution and sensitivity training and all of that is part and parcel of the holistic training programme that they do. It is not only about war.

So, here it is you have the regiment that defended this country in 1990 and we are asking the same regiment now that did yeoman service to the country in 1990, to come back now, to come out now and help us rid this country, once and for all, of this drug mafia that is the scourge of this country.

Mr. Speaker, the crime and, again, the crime that is affecting us, all aspects of our society, every single area—people are on the edge constantly thinking about this crime, so what is this Government supposed to do? This Government is not going to do like what the other Government did, with those Members on the other side, to sit and wait for it to fix itself; and that is basically what happened on the other side.

They sat their hoping, praying every day that it would go away. It does not go away; it gets worse. That is why we find ourselves now, in 2013, with a crime rate, a level of violent crime never seen before in this country and that did not just happen overnight. This thing has been breeding in the back there since whenever; and if you sat there hoping that it would go away, this is exactly what was going to happen and they were told that. The other side was told that constantly. They were preaching to them and they refused to listen “because the PNM is for PNM and the PNM doh need to listen to nobody”.

**Mrs. Mc Intosh:** We did nothing. We did nothing.

**Hon. S. Cadiz:** You did absolutely nothing and that is so true.

**Mrs. Mc Intosh:** “You say dat.”

**Hon. S. Cadiz:** But it is true.

**Mrs. Mc Intosh:** “You tell God dat.”

**Hon. S. Cadiz:** Well, you know, they talk about our crime plan and you really want to ask them what was their crime plan.

**Mr. Warner:** The blimp and [*Inaudible*]

**Hon. S. Cadiz:** The blimp was the crime plan and the OPVs. Imagine that! A crime plan for a country like Trinidad and Tobago is being—the key for the crime

plan is a blimp and three OPVs, not realizing, none of them here understanding what was an OPV; none of them on the other side understanding—maybe other than Diego Martin North/East—what is an OPV and how far that vessel was going to find itself protecting whoever, outside there, hundreds of miles off of Trinidad and Tobago, when all the drugs and whatever it is coming in right here, between the seven-mile stretch that we have between Venezuela and here, with the drugs coming through there. But the OPVs, 400 miles up the road, protecting somebody else's territory and that is what those OPVs were built for. Those OPVs were not built to go and patrol the Bocas or patrol the north coast and wherever and off of Tobago. That was not their purpose.

Those OPVs were designed to go and be out there for six weeks and two months at a time doing what? So when they talk about that is their crime plan—because the only time you hear them talking about their crime plan, all of a sudden blimp and OPVs “does jump in the fray”.

**Hon Member:** Tell us how you are taking care of our porous borders.

**Hon. S. Cadiz:** Mr. Speaker, if the porous borders were dealt with 10 years ago, we would not be sitting here with this Bill. We would not be sitting here with this Bill.

**Miss Mc Donald:** “What yuh doin with it now?”

**Hon. S. Cadiz:** Mr. Speaker, when they talk about their crime plan, what happened to the police commissioner Trevor Paul? What happened to the police commissioner Trevor Paul? Extension, acting; extension, acting; extension. What was the purpose of that?

**Hon Member:** Philbert.

**Hon. S. Cadiz:** And Mr. Philbert. What was the purpose of that? What was the purpose of not appointing a commissioner of police? If you had this wonderful crime plan, why is it that the head of your police service, you could not find somebody who you could have appointed as the commissioner of police? Why was that?

**Mrs. McIntosh:** You all found somebody?

**Hon. S. Cadiz:** Why did they not do that? They reappointed the man; they extended the man's contract about four times and they talk about a crime plan. Here it is we have blimp as a crime plan, OPVs as a crime plan and an acting police commissioner that they refused to confirm in the position. *[Interruption]* Well, maybe—I have a note here about “Ramley”.

**Mr. Roberts:** “All-yuh didn just talk?”

**Hon. S. Cadiz:** So when we look at this whole thing, Mr. Speaker, the issue of crime in this country is being dealt with by this Government. The legislation that is being passed; this particular Bill that is being passed is a very crucial part of our crime plan to ensure that we have more people on the street with the powers of arrest to deal with it. That is without a doubt going to work.

Mr. Speaker, when we look at other jurisdictions: for instance, you look at larger countries—and I want us to put things into perspective—the size of Trinidad and Tobago, the resources that we have and you look at other countries, for instance, like the United States that has the Department of Justice; it has the FBI; it has the DEA; it has the ATF; it has the United States marshals; it has the Bureau of Prisons; it has the Homeland Security, US Customs and Border Protection; US Immigration and Customs Enforcement, the United States Secret Service, the United States Coastguard, state police, sheriff, municipal police—all of these are agencies in a country the size of the United States. “How many we have in Trinidad and Tobago?” We have a police service. We have a regiment and a coastguard. Yes, we have customs and immigration, but we cannot now go and start creating all of these new agencies, okay, to work alongside the police. It makes absolutely no sense to be creating all these agencies. Just like what they did with SAUTT, where you build this parallel, illegal agency to work supposedly alongside the police.

**Mrs. Mc Intosh:** “You all dismantled it and what happen? All the information—”

**Hon. S. Cadiz:** It is not a case of dismantling it. We are going to be operating in a legal framework and your idea of a crime-fighting plan is to operate an illegal parallel system to the police. [*Desk thumping*] And you want to sit there and talk to me about moral authority? You have no right to talk about moral authority, if that is what you were doing. No right whatsoever!

**Hon Member:** You all cannot even buy that.

**Hon. S. Cadiz:** So, Mr. Speaker, again, when we are looking at the issue of this new upsurge in terrorist activity, in drug mafia, all of that, it has to be dealt with in a way that is totally different to the police of long ago. It has to be dealt with in that way and with the assistance of officers of the regiment as we have with this Defence (Amdt.) Bill here. That is what we are looking for.



So, Mr. Speaker, I am not going to go and talk about any blue van for 10 minutes. I do not talk for long, so the blue van talk is not going to come up here. What I want to say is that the—

**Hon Member:** “Is the PNM fixing it.”

**Hon. S. Cadiz:** No. It could never be the PNM fixing this. Understand that. [*Laughter*] The PNM could never fix it. The PNM had 10 years to fix it; they will never be able to fix it. It is very, very simple. [*Desk thumping*]

Let me tell you something. This country understands what this Government is doing, so all the talk “all-yuh” want to talk, no, no.

**Mr. Roberts:** “Ramley” cannot fix it.

**Hon. S. Cadiz:** I would strongly recommend that you all depend on “Ramley” on that side there.

Mr. Speaker, the Constitution of this country, under the rights enshrined, speaks of the right of the individual to life, liberty, security of the person and enjoyment of property and the right not to be deprived thereof except by due process of law; the right of the individual to life, liberty and security of the person, and that is what a responsible Government understands and that is what we are doing on this side, unlike the other side.

So, Mr. Speaker, always short and sweet. I will give the Member for Port of Spain South a chance to talk, but before I go, one last thing. Difficult times, which the PNM put us in, require difficult decisions that the PNM does not understand. Difficult times require difficult decisions and, therefore, supporting this Bill should not be a difficult decision. Mr. Speaker, thank you. [*Desk thumping*]

**Mr. Fitzgerald Jeffrey (La Brea):** Thank you very much, Mr. Speaker. Thank you very much. [*Crosstalk*]

**Mr. Speaker:** Members, please allow the Member for La Brea to speak.

**Mr. F. Jeffrey:** Mr. Speaker, let me say categorically from this side that we take no joy with the serious crime situation that is afflicting this country. Absolutely no joy! We value human life and, therefore, when a life is lost, we raise a red flag.

Mr. Speaker, I listened to the other side and I just want to start by giving you some information that was extracted from a woman of impeccable integrity, Miss Gillian Lucky, and this is what she said: that the detection rate in serious crime in Trinidad and Tobago, at the present moment, is 15 per cent—detection rate in

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crime. However, the detection rate when Martin Joseph was National Security Ministry was 23 per cent. I just want to put that inside there because, you see, we give the impression that so much achievement is taking place, but the facts will tell a different story.

Murders: foreigners killed, 2010, it was 2; in 2012, it was 8 and counting. Mr. Speaker, this is a serious situation that we need to address. But what hurts is that they come here with a Defence Bill purporting to deal with the crime situation. This reminds me when we had the SOE. They called the SOE and talked about a national threat, but “yuh” ban marching; “yuh” ban the publication of literature and so on. That was a smokescreen for something else.

Similarly, this Bill before us here is not any attempt to address the crime situation, but really and truly to make the State a military one. Mr. Speaker, I will show because, you see, I listened to the Member for Pointe-a-Pierre and he talked about Guatemala and he talked about Nicaragua and so on and El Salvador and boy, listen, God is a good God because watch, I have the information here and I want him to read it to see that the same road Nicaragua and Guatemala went is the same one we are going. You are terrorizing the media. You buy out some and those that you “ent” buy, “yuh” terrorizing them as you did in Trinidad and Tobago and then you start now by passing draconian legislation and now you want to convert the army and the police into a military kind of operation. But, Mr. Speaker, I will come to that a little later.

**7.05 p.m.**

Mr. Speaker, the Member for Caroni East, I am sorry, he is not here, the Member for St. Augustine is not here, I am sorry, and the Member for Chaguanas West is not here.

**Dr. Browne:** Where are they?

**Mr. F. Jeffrey:** Mr. Speaker, because they talk so much about the PNM did nothing for this country as far as crime is concerned.

**Dr. Moonilal:** Correct!

**Mrs. McIntosh:** We never did anything.

**Mr. F. Jeffrey:** Mr. Speaker, if I were to take you back down memory lane—

**Miss Hospedales:** Take them down! Take them down! [*Crosstalk*]

**Mr. F. Jeffrey:** If I take you down memory lane, Mr. Speaker—[*Crosstalk*]

**Hon. Member:** Remind them; remind them. [*Crosstalk*]

**Mr. F. Jeffrey:** Let us listen to this, Mr. Speaker. Consultant Miss Yvette Holder, utilizing the Trinidad and Tobago Police Service statistics, and this is what she said:

“The trend toward increased use of firearms in the commission of crime began in the 1970s in Jamaica, so that a court was established in 1974 solely dedicated to gun-related”—charges—“In Trinidad and Tobago this change began in”—the year—“2000.”

Which party was in power in 2000? Which party?

**Dr. Browne:** The UNC.

**Mr. F. Jeffrey:** That is when the thing started and it grew and grew. And do you know what made it bad, Mr. Speaker? If you were to take—I would just go through that very quickly because I have plenty things to talk about here this evening—In 1997, *Trinidad Guardian*, police commissioner Noor Mohammed. He said one of the reasons why there is a gap between citizens’ willingness to come forward might be that they do not have confidence in the police at the present.

In 1997, the Minister of National Security, Joseph Theodore, said jailing criminals is not the answer. You put them in jail, and more coming. I have said that “building jail” is not the answer. That was in 1997. Under who? The United National Congress.

**Dr. Rambachan:** I think that would solve crime now.

**Mrs. Gopee-Scoon:** What is your point?

**Mr. F. Jeffrey:** In 1999, Dr. Adesh Nanan, who was the Minister of Education, spoke about the escalating violence in schools—in 1999. Mr. Speaker, I am showing you, because what they are trying to say is when the PNM was in power this thing got bad. I am putting it here this evening that it really started—it really took serious root when they were in power in that 1995—2001 period.

In 2000, violent crimes worried the US Embassy.

In 2001, that is when our Prime Minister banned corporal punishment in schools. We had the Presbyterian School Board saying that teaching had become tougher since corporal punishment was banned in the schools. The Board of Education Chairman, Mayor Orlando Nagessar, said that teachers have to deal

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with a lot of indiscipline in schools and with the banning of corporal punishment, teaching is becoming a challenging job, and we could go on to show you how serious the thing was.

In 2001, most murderous year—violent in Trinidad and Tobago. Mr. Speaker, I am putting this to you that the crime situation in this country had very little to do with the People’s National Movement. We tried to address the problem. We tried to address the problem that really got out of hand with the last UNC administration.

Mr. Speaker, looking at the Bill that is before us, I think it is really a cause for concern. Now, we are told that the defence force is charged under subsection (2), with the duty of assisting any member of the police service in the maintenance of law and order. I wonder what the hon. Prime Minister was referring to when she mentioned—I am taking this, Mr. Speaker, from Wednesday, March 06, 2013. *Newsday*, page 13, when she said:

“...Parliament because we wanted to do two things firstly, to amend the Defence Force Act to allow for soldiers alongside police officers...”

Mr. Speaker, walking alongside and assisting does not necessarily mean the same thing.

You see, if I could take an example from the education system, vice-principals are supposed to assist the principal in the administration of their schools, but that does not mean that the only time that happens is when the principal and the vice-principal are walking together. So, I do not understand. The thing is, it is not spelled out in the Bill before us about having to walk, side by side, and I think that was deliberate on the part of the Government in putting this before us. I think that is something that you need to address if you are really and truly serious about taking this thing forward.

Mr. Speaker, with those—

**Mr. Indarsingh:**—few words—

**Dr. Browne:**—opening remarks. [*Laughter*]

**Mr. F. Jeffrey:** Mr. Speaker, in the case of the soldiers, we look at the Minister of National Security and we also have the Attorney General. The Minister of National Security, January 08, 2013, page 19, *Newsday*:

“‘They will be precepted, that is: given powers of arrest, and shall be armed and shall work throughout Trinidad and Tobago together with the Police,’

Warner said. Asked then by *Newsday* if members of the Defence Force who are given arrest powers will be given special training, Warner said this was not necessary. ‘They do not need any special training,’ he then argued.”

**Dr. Browne:** Repeat that!

**Mr. F. Jeffrey:** Let me repeat that again, Mr. Speaker.

**Dr. Browne:** This is good research.

**Mr. F. Jeffrey:** Tuesday, January 08, 2013, page 9A. The article was written by Andre Bagoo:

“‘They will be precepted, that is: given powers of arrest, and shall be armed and shall work throughout Trinidad and Tobago together with the Police,’ Warner said. Asked then by *Newsday* if members of the Defence Force who are given arrest powers will be given special training, Warner said this was not necessary. ‘They do not need any special training...’”

And so on. [*Desk thumping*] This is frightening, Mr. Speaker. This is frightening. Madness! This is madness!

So, I think we have to really and truly look at this thing carefully. You know, we had a case with the re-route movement, the problem with the re-route movement, and I would tell you why we have to be concerned.

**Mr. Indarsingh:** That is sub judice.

**Mr. F. Jeffrey:** What is sub judice?

**Dr. Browne:** Take your time.

**Mr. F. Jeffrey:** Mr. Speaker, and I quote:

“National Security Minister Jack Warner, yesterday said his decision to order the demolition of the Highway Re-Route Movement’s camp in Debe was nothing personal...”

“Asked if he had informed Prime Minister, Kamla Persad-Bissessar of his decision to demolish the camp, Warner said no...”

So he is a law unto his own self. I wonder with this Bill that is before us—after the Bill is passed and so on—what is going to stop him again from abusing the privilege? What is there? What is there?

**Mr. Indarsingh:** The amendment.

**Mr. F. Jeffrey:** Mr. Speaker, in this situation, let us look at the scenario. So, we understand that the “officers and them” do not have to get any training if you were to take the Minister of National Security’s word, no training. So, a sergeant in the army who was not selected—

**Mr. Speaker:** I do not think you should use a quote from *Newsday* to formulate your argument. I think the Minister of National Security made it very clear in this Parliament, when he spoke, that these soldiers will be trained. So we cannot take *Newsday* into view, when in Parliament he has denied that through his statement that soldiers will be trained. So, I do not think you should go on a fallacious argument coming from the *Newsday* even though at that time it might have been factual, but he did come back in this honourable House and did indicate that they will be trained. So, I think you should be guided.

**Dr. Moonilal:** That is public record; that is public record.

**Mr. Speaker:** That is the record before us right now.

**Mr. F. Jeffrey:** Okay, Mr. Speaker, okay, okay. The question still remains that the officer from the army who I call the “poldier” and the policeman—who are working together—who is the superior officer in that scenario? That is question one.

**Mr. Sharma:** That is not a good question.

**Mr. F. Jeffrey:** Question two: a sergeant in the army—“leh we say 10 years’ experience”, but was not chosen, was not selected to be the “poldier”, and we also have another case where a sergeant, again, with 10 years’ experience, but was chosen—how are we going to work out the salary differential? Will they be paid the same amount of money?

Mr. Speaker, are we saying that the officer who was selected—[*Crosstalk*]—“Ah taking meh time; I eh hurry.” The question, Mr. Speaker, is the army officer, he enjoys the same powers, the same authority, same privileges and same immunities; I am asking the question: if they have all that, “How come two army officers cyar work together?” If they are enjoying the same privilege as the police, why is there a need for an army and a police to work together? Mr. Speaker, that is a question, a grey area that I think we need some clarification on.

The whole question of immunity: right now in this country, if you go outside, many people do not know what immunity means and the extent of the immunity that police enjoy. I think for acceptability for the public out there, we should get some kind of education for the public outside there in dealing with that situation.

Mr. Speaker, the fact that police and soldiers are working together is of little comfort. And I ask the question: there was an army officer who was killed under mysterious circumstances, and I wonder the culprit of that act—it is quite likely that that person could be on the street trying to maintain law and order, and I think that is an area that does not give us much comfort.

Mr. Speaker, we have the example from the *Guardian* Thursday, March 07, 2013 [*Crosstalk and laughter*] where the Immigration Detention Centre in Aripo, we had—I want to quote, Mr. Speaker, from the chairman of the Emancipation Support Committee, and this is what he had to say.

“Kambon said soldiers and police flogged the detainees, leaving one with a dislocated knee and others with bruises and wounds...

‘When the protest started, someone in management called in and a joint police/army patrol...

The soldiers beat everybody from a side. They beat them quite severely. Two of the detainees were taken for medical treatment. The police stood by and watched...’”

Mr. Speaker, the fact that you have army and police together is not very comforting to John Public.

Mr. Speaker, we are told in the Bill that the Police Complaints Authority would help to give redress. Mr. Speaker, I remember quite clearly, after the anti-gang Bill was passed, several hundreds of young poor men from Sea Lots, St. Paul Street and Laventille, they were hauled like goats into vehicles without any evidence and carried down. Although we have a Police Complaints Authority, I cannot remember of any one of those people getting any kind of redress in that scenario.

**Hon. Member:** Not one! [*Crosstalk*]

**Mr. F. Jeffrey:** I cannot recall anybody. Mr. Speaker, in this situation here, “when yuh rich and yuh powerful, it is easy to get redress” when you are poor as those guys from Laventille and Sea Lots and so on, you have very little redress.

**Dr. Moonilal:** And Barrackpore,

**Mr. F. Jeffrey:** I am saying here now that the fact—La Brea—

**Dr. Moonilal:** Cuchawan Trace.

**Mr. F. Jeffrey:** The fact, Mr. Speaker, that you have this Police Complaints Authority it does not solve the situation. Right now, we have officers facing the court for murder. What happen to the victims, Mr. Speaker? They die. What redress they would get? I am saying here now that the Police Complaints Authority is not the answer when we are talking about the abuse, Mr. Speaker.

However competent, Miss Gillian Lucky is—I know she is a woman of impeccable integrity, great respect—but, Mr. Speaker, right now, she is swamped with work, and I am saying here now to give her this additional amount is the last straw that will break the camel’s back.

Mr. Speaker, the acting Commissioner of Police said almost 80 per cent of the murders in the country is by firearms. And this is taken from *Newsday*, Friday March 08, 2013. Mr. Speaker, 80 per cent of the murders in this country. It stands to reason, that if you want to deal with the crime situation, the first question you have to ask yourself is: “Wait nah, if 80 per cent of the crime in this country is being committed by firearms, where are these firearms coming from?”

**Dr. Browne:** Correct!

**Mr. F. Jeffrey:** Is it manufactured in Trinidad or does it come from outside? [Interruption] We know, Mr. Speaker—Mr. Speaker, I am asking for your protection please.

**Mr. Speaker:** Yes, you have my full protection. Member for Fyzabad, please.

**7.20 p.m.**

**Mr. F. Jeffrey:** Mr. Speaker, I want to quote from Yvette Holder again:

“Smuggled firearms are sourced from South and Central American manufacturers...among others. Suppliers are from Brazil”—and they produce—“Beretta, Colt, and Taurus...Venezuela (Smith & Wesson); Mexico; and the Dominican Republic (Klare and Anderson, 1996). These countries all make firearms for domestic sale and for export, ostensibly to governments and licensed private owners.

Weapons manufactured or otherwise available in South America are smuggled through Venezuela, Suriname and Guyana to Trinidad and Tobago via fishing vessels and private pleasure boats.”

Mr. Speaker, that tells us something, that if the guns are coming from outside then the interception has to be done from outside; but listen to this. Our acting Commissioner of Police said this:

“He said Offshore Patrol Vehicles...would not secure the borders because the OPVs would operate in distant waters, but not the ‘close borders’.”



Mr. Speaker, and I have to ask myself whether or not we make the guns in the middle of the ocean or far out in the sea. It stands to reason that the OPVs were the best option open, because the boats that are coming from Suriname, Colombia and Mexico and so on would be few and the OPVs can be used from outside there to detect the shipment, but if, as inferred by the acting Commissioner of Police, they will await until they reach close to your shoreline, you are in trouble, because there are thousands of pirogues, fishing boats and pleasure boats, and I think that would be a very onerous task in order to contain the splurge of guns.

I think we need to revisit that situation if in fact we really and truly want to solve the crime situation. Mr. Speaker, that is why I am putting it to you that this thing about the Defence (Amdt.) Bill has very little to do with the murder rate, because if you wanted to deal with the murder rate “we woulda try and tackle that gun situation, but the fact that we are not interfering with that seems that it have other motives. It seems to me that we enjoy the things coming in, so you clear the coast, yuh eh wa’ no OPVs outside there so the stuff and them could come inside”, and this is something that worries me.

**Dr. Browne:** Yes!

**Mr. F. Jeffrey:** It worries me and should worry every citizen in Trinidad and Tobago. [*Desk thumping*]

Mr. Speaker, we have to be very careful as to the message that we are sending out there. The crime situation in this country is very serious—very, very serious. I want to ask those opposite that—I know you want to prove a point that you could pass laws and so on, but would it really and truly solve the situation? How are you going to deal with the guns that are coming into the country? How are you going to stop this? What measures are you going to put in place? What measure? From my vantage point it seems as though that is of little consequence. How often we see they find a lot of illegal stuff and they cannot find the culprit? You cannot find the culprit. That is a cause of concern, you know.

**Dr. Browne:** Green chicken.

**Mr. F. Jeffrey:** You remember the case with the chicken? Mr. Speaker, “if was in America”, they would have had surveillance set up, trace the whole thing, but no, you know, “yuh fraid” to do that. I am saying here now, if we want to solve this situation we have to be able to bite the bullet. It is not enough to say, “Well, listen, we are going to go after Mr. Big, right, because Mr. Big eh care.”

**Dr. Khan:** “Is Manning say dat.”

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**Mr. F. Jeffrey:** Yes. Good.

**Dr. Browne:** “At least he try.”

**Dr. Khan:** “Manning say that.”

**Mr. F. Jeffrey:** “Good, and what you all say?”

**Dr. Khan:** “He say he doh use—”

**Mr. F. Jeffrey:** “What you all say?” [*Desk thumping*] What did you all say about it?

**Mrs. Gopee-Scoon:** Three years—

**Mr. F. Jeffrey:** “You all in office for three years.” Have you all interfered with Mr. Big? [*Crosstalk*]

**Dr. Browne:** You are the Government. “He happy, he feteing.”

**Mrs. Gopee-Scoon:** Talk to the public. Talk to the public.

**Dr. Browne:** “Mr. Big feteing.”

**Mr. F. Jeffrey:** Mr. Speaker, they could say what they want. The People’s National Movement, we have shown our commitment to address the crime situation, because you know something, when we talk about the murder rate—2008 it was, we had the highest figure?

**Dr. Browne:** Yes.

**Mr. F. Jeffrey:** Good.

**Dr. Browne:** It peaked in 2008 and it started going down.

**Mr. F. Jeffrey:**—2008—but 2009, who was in power? We. It went down to 505.

**Dr. Browne:** Yes, it started to go down.

**Mr. F. Jeffrey:** It started to go down. We put the system in place, dah why it went dong.” [*Crosstalk*] We put the system in place, [*Desk thumping*] and the reason why we have this madness taking place in this country, “it have been now feeling the effect of all the foolish things they have done by removing SAUTT and so on. Right? I am saying, now is the time to pull back and say, “Listen, we made a mistake.” All people make mistakes. We all make mistakes. “We are sorry and we will bring back the OPVs and them to help rescue the situation.” I thank you, Mr. Speaker. [*Desk thumping*]

**Mr. Speaker:** The hon. Member for Moruga/Tableland, Minister of National Diversity and Social Integration.

**The Minister of National Diversity and Social Integration (Hon. Clifton De Coteau):** Thank you, Mr. Speaker.

**Mr. Sharma:** Let us hear an educated voice.

**Hon. C. De Coteau:** Mr. Speaker—[*Interruption*]

**Mr. Indarsingh:** Deal with him.

**Hon. C. De Coteau:** No, I would not deal with my good friend from La Brea.

**Hon. Member:** He is your “pardner”.

**Hon. Member:** He said nothing anyway.

**Mr. Sharma:** “Yuh ha to gih him room.”

**Hon. C. De Coteau:** I just want to start by using some of what he said. “The crime situation in Trinidad and Tobago is very serious”, and I think we in this Chamber all agree with that.

**Mrs. Gopee-Scoon:** We all are saying the same thing.

**Hon. C. De Coteau:** “How are you going to deal with the guns?” Mr. Speaker, I feel in this august Chamber, instead of bantering and all this political thing, we should say, “How would we deal with this crime situation that is so serious in Trinidad and Tobago?” More so, Mr. Speaker, I stand this evening to just ventilate the feelings of the members of my constituency of Moruga/Tableland and, as such, I stand in full support of this Defence (Amdt.) Bill, 2013.

Mr. Speaker, it is well-known and it would be remiss of me if I do not say it, and I do not know, my good friend did not bring the energy companies in his contribution, but notwithstanding the challenges we have with our 255 landslips in the constituency, we face a serious challenge of this crime situation—very, very serious, when you consider that we have a constituency of fishermen and agriculture, and they are literally complaining, either with the praedial larceny or their fishing boats gone missing.

One week before Christmas, a fisherman went out there, he was killed. Several of them were pirated. They lost their engine. Some are still missing. We have our planters, over 80,000 pounds per year, but they are all concerned with this crime situation. The situation is: how do we work together to solve this

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situation? Mr. Speaker, it is so bad in the area, that I shared with the Member for Diego Martin Central that two days ago a young man from the constituency had an accidental death in Diego Martin.

**Hon. Member:** The constituency of Moruga?

**Hon. C. De Coteau:** From the constituency of Moruga. While the villagers went to console the family, do you know what was going on? The bandits went into several homes and ransacked the people's homes, and this is what is going on.

These people have become brazen, fearless, "boldface". In the Gomez Street area, you know what they have done? They went into the parlour and robbed the poor gentleman—trying to create some kind of worthwhile living. One area in White Trace, they went into the lady's home, took out all the beverage, "sat down, eat the goodies, actually hot it in the microwave", and this is the kind of bandit we have. So if they are listening now to this debate they might be smiling and saying, "Boy, we could really bask you know. Those fellas—some of them championing our cause."

This is what is going on. I mean, yes we have to score political points, but sometimes in scoring the political points we are giving them an opportunity to get away. [*Desk thumping*] I am saying that the amendment we are seeking with the Bill might not be all that perfect, but we should really work together and try to get it going properly.

**Mr. Sharma:** Well said! Well said!

**Hon. C. De Coteau:** Mr. Speaker, I just want to remind them: the *Trinidad Express*, page 7, January 21, 2012, the newspaper article, "Dying while making a living". You know what they are talking about? The fishermen going out—"Dying while making a living"—and still dying while trying to make a living.

**Mr. Sharma:** [*Inaudible*] is saying nothing, shame.

**Miss Hospedales:** What does that have to do with—[*Inaudible*]

**Hon. C. De Coteau:** What are you saying, Ma'am? What it says is that we should be concerned. We should be concerned about those people out there who are suffering and tell me any one of us here who is not suffering, who is not fearful about that.

**Miss Hospedales:** Why did they cancel the OPVs?

**Hon. C. De Coteau:** I do not know why they cancelled the OPV. The point is, that was done, as they say. We have to look at this thing now and see how we can resolve that.

**Hon. Member:** We are not in the Cabinet. [*Laughter*]

**Hon. C. De Coteau:** Yes, I am in the Cabinet, Miss, but I do not try to score those cheap political points. The point is, let us deal with the reality.

**Miss Hospedales:** Well that is it.

**Hon. C. De Coteau:** Let us deal with the reality. I will tell you something. Probably you do not know. From what I have heard, the OPVs definitely would not have been able to operate in the Moruga area.

**Mr. Sharma:** The PNM said that.

**Hon. C. De Coteau:** Have you ever been into that area up there? They could not have operated there. You need some small, fast vessel there, Member for La Brea. You ever went down to that area? Fast area! I will tell you something. I do not want to go down that road, you know, but the former administration did put up some radars that never worked—never worked.

**Mr. Indarsingh:** Tell them! Tell them!

**Hon. C. De Coteau:** It never worked.

**Mr. Indarsingh:** Go down that road.

**Hon. C. De Coteau:** The Moruga river, the river of hope, is hopeless because those things never worked. Let us face the reality; “and echoing and saying, bout who fire everybody?” They had a right to be fired because they were not working.

Mr. Speaker, I have spoken to most of the groups in the area of Moruga/Tableland, the farmers, the fisherman, the gardeners, all they are saying is, “Make it work. We want the soldiers with the police.” They want active visibility. They do not want that kind of passive visibility. They do not want them taking a ceremonial march with the police. They want them to be active. They want them to go out there and get the guns, and I can tell you something, I made that same contribution once, you know, where one man said, “If we want a gun in that Moruga/Tableland area, we could get it easily.”

**Mr. Indarsingh:** Is the license is the [*Inaudible*]

**Hon. C. De Coteau:** They could get it easily, and this is what we are saying. We should look at how we deal with this situation.

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You know, I have sat here and I listened, and I said, “Listen, they were not aware of that article which says, ‘Criminals migrating to South, says top officer’.” This is from the *Guardian*, page 8 A, Friday March 01, 2013. If you would permit me, Mr. Speaker:

“With the crime hot spots in the Northern Divisions now under intense police scrutiny, criminals are migrating to the Southern Division. So said acting Snr Supt Cecil Santana, who has vowed to keep criminals out of the division, at a news briefing yesterday...

He said...”—Santana said police had a raid and—“One of the guns, a high-powered .9mm assault rifle, was seized around 4.15 am, yesterday when police from the Southern Division Task Force, CID, Princes Town, Barrackpore and Moruga stations, raided a house at Cachipe Village, Moruga.”

That is in my constituency, I know the house, and that is why I am concerned and I am ventilating the concerns of my constituents. I am ventilating those concerns.

**7.35 p.m.**

“Santana said police also arrested four of the five occupants of the house, including one man from Diego Martin. He said one man, who fired at the police as he escaped into the bush, remains at large. He said the five other guns—three .9 mm rifles, .38 revolver and a shotgun...” and on, and on, and on.

Mr. Speaker, it is bad. It is very, very bad. It is so bad that they are even going and attacking those people who have the illicit drugs. When I say the illicit drugs, the alcohol, the Alabama scotch. So that in the 6th Company area last week—[*Crosstalk*] moonshine.

In the 6th Company area last week, Mr. Speaker, this might sound hilarious you know, they went and they raid a man’s, still, but they were so accustomed doing it because they “doh” want to work, and I do not want to encourage the generation of distilling these rums, although I have asked myself how they promote—and this is what they asked me: “they say bossman, all yuh unfair.” I say why should you say that we are unfair? “They say we could make all kind ah wine: pommerac wine, this wine, cane wine, the other wine”, and we cannot distill our own—[*Crosstalk*] I say, I am not going there.

**Dr. Khan:** Moonshine. [*Crosstalk*]

**Hon. C. De Coteau:** They cannot distill their own thing. And they say we have the skills. I say that is for another forum. But the point is, they went and raid it. [*Crosstalk*]

Seven of them ended up in hospital, defecating and they had blood in their excrement. Right? Because the man protected himself in his own way. This is the extent they are going to. It is that bad. It is very, very bad. So what you find, look—[*Crosstalk*]

About two weeks ago on the Rochard Douglas Road these brazen-faced criminals, they went and they took up 11 iron manhole covers. They were not concerned about the students within the area of Rochard Douglas Presbyterian School. No. They were thinking about making profit. This is what they were concerned about and this is the kind of boldfaced, “brass-face” situation we are faced with.

They come to the office sometimes. You ask them to give them some work. What is the first thing they say? “Bossman, how much yuh paying? Dat ain’t enough.” So even though you may say to them, a half of biscuit is better than none. No. “Boy, I cyar live with that.” But you are without work for weeks and now you are getting something. No. But what do we have? Some of the same people that we are championing their cause in some areas tonight, they have the latest, the “bling”. The latest bad cap. The latest sneakers. The latest everything. The biggest bulldog chain. Right? [*Laughter*] You know, Mr. Speaker, it is that bad.

I have listened and [*Crosstalk*] I find to some extent I was a little bit concerned because the impression is given that our soldiers are like some of those things you see, those universal soldiers—mindless, robotic, send them in a particular direction and they just do that. I am saying no. No. Because some of those soldiers, senior and junior rank, I know them. I know them, Mr. Speaker, because in some cases I may have taught some of them who are holding high rank. I know they are also family persons, and when they leave to go to work they have the same concerns as you do. They come from the community. So, I do not think that they would, just like that, unleash brutality on citizens. I do not think they are that mindless. To so unintentionally, I believe, kind of stereotyping them as though they are mindless, I think that is a little bit unfortunate.

I mean, they have gone through some stringent training and I believe that that given, they would be able—they are courageous, they are brave, and I believe

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given the opportunity of working alongside our police they would be able to do something to effectively curb this state of crime that we have in Trinidad and Tobago.

Mr. Speaker, according to the website of the Defence Force of Trinidad and Tobago. If you would permit me:

“The Trinidad and Tobago Defence Force was established in 1962 and was charged with the following responsibilities:

Defend the sovereign good of the Republic of Trinidad and Tobago, cooperate with and assist the civil power in maintaining law and order, assist the civil authorities in times of crisis or disaster,...”

Tell me we are not facing a crisis in Trinidad. When bandits could walk in without masks on their face, brave, boldfaced, that is a crisis situation.

“...perform ceremonial functions on behalf of the State, assist in the development of the national community and much more.

The mission for the Trinidad and Tobago Defence Force is to secure Trinidad and Tobago...against threat, to protect our sovereign interests, including the Exclusive Economic Zone, and to take action to meet likely contingencies in Trinidad and Tobago’s area of strategic interests. The mission statement identifies the core activity of the Defence Force, and points to a diverse range of additional tasks, which may be assigned by Government, which thus emphasizes the importance of the Defence Force’s personnel and the need for a flexible operational capacity.”

They go on to say key functions:

- “Cooperate with and assist the civil power in maintaining law and order.”

I got this from their website, you know. I got this from their site.

- Perform ceremonial functions on behalf of the State;
- Provide Search and Rescue services in keeping with national requirements and other international agreements;
- Assist in the prevention of trafficking in narcotics and illegal goods.”

So you see why we need them in the Moruga area. So you see why we need them in the Moruga area, my brother from La Brea—because a lot of the goods come through those areas. Biche, Sangre Grande, when you read about bags and bags of herbs. We need them. We need it.



- Monitor the safety of shipping in national waters;
- Assist in the development of the national community.”

The Defence Force includes members of the regiment, coast guard, air guard. Then they give the requirements for enlistment, to be enlisted, the requirements to be an officer and cadet; requirements for short service commission officers; they talk in terms of the 16 weeks training in combat and protection of the nation would offer the crime-fighting initiative a revitalized approach.

In other words, with the training that they would have had plus the courses they would have been exposed to for that period, it would really embellish the crime fighting. I could go on to say what the defence leader Maharaj had said. The defence force as any defence force in any jurisdiction in this world serves the Government and citizens of their countries.

Mr. Speaker, we have to do something very, very soon. At one time—and I listened and I really felt that some people were not really against the exercise. I think the person that they may have been targeting was my colleague, the Member for Chaguanas West—

**Hon. Member:** “Nah man.”

**Hon. C. De Coteau:**—and I hope not. I hope not. [*Crosstalk*] Mr. Speaker, I do not want people to go away with the impression, and I would not say it because I do not think so. I think in the hearts of the Members opposite, they really want the crime to go [*Crosstalk*] down as well. They have a heart. They have a heart. They have a heart. I do not think that they would triumph with any kind of glee—

**Mr. Indarsingh:** No, they have none.

**Hon. C. De Coteau:**—when there is a crime situation.

**Dr. Ramadharsingh:** At least you hope so.

**Hon. C. De Coteau:** I do not think so. I honestly do not think so because I think there are honourable persons across there, who, notwithstanding any political agenda, would not like to see crime on the rise in Trinidad and Tobago. I do not think anybody wants it.

**Hon. Member:** “Nah!”

**Hon. C. De Coteau:** I do not think anyone wants it. [*Crosstalk*] I do not think anyone wants that. [*Crosstalk*] Right? Well again we should not be using the crime as a political tool. [*Crosstalk*] I mean, we are people in this august chamber,

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we should not be using crime as a political tool. If you are to succeed as we succeeded you, then let us go differently. Let us be philosophical about the whole thing. Let good sense prevail, and we should sit down here—

**Mr. Sharma:** Integration.

**Hon. C. De Coteau:**—and work, and yes, that brings me to the point, thank you my brother. I mean here at the Ministry—we are trying—[*Crosstalk*] National Diversification and Social Integration—

**Dr. Ramadharsingh:** You are the man to bring that into it.

**Hon. C. De Coteau:** We want to promote this patriotism. We want to have the love of your—[*Interruption*]

**Dr. Ramadharsingh:** Country first. Country first.

**Hon. C. De Coteau:** We want to look at the heroes and so on, but it cannot, I mean, we have to have the correct role models for our young people. We have to remove this get-rich-quick mentality from our youths. [*Crosstalk*] We have to get them out of those situations. How could we champion the patriotism? How could we champion a clean surrounding? How could we champion these things when there is no kind of empathy in us? [*Crosstalk*] [*Laughter*] Member for Arouca/Maloney, that question coming from anyone else I would have—but you know how we feel; the reciprocal feeling. [*Laughter*]

**Hon. Member:** “Wha!” [*Laughter*] [*Crosstalk*] Reciprocal feeling.

**Hon. C. De Coteau:** So, Mr. Speaker, we must [*Crosstalk*] see the benefits of this amendment—

**Dr. Khan:** He make it public.

**Hon. C. De Coteau:**—and what we should do is to encompass some aspects of it, the legislation, [*Crosstalk*] which can deal with the spillover effect of such an adoption.

**Hon. Member:** “Yuh blushing?”

**Hon. C. De Coteau:** Mr. Speaker, we have had report—according to the annual report on performance, 2012, published by the Ministry of Planning and Sustainable Development, they talk in terms of organizational law enforcement and law enforcement agencies:

“• Organizational structures and systems improved by establishing:

- A National Disaster Risk Reduction Committee...

- An Electronic Monitoring Unit;
- A Firearms Database;
- A Digital Photography System;”

and a host of other things.

But I will tell you something. Mr. Speaker, I think any parliamentarian listening to the news tonight would have felt a certain amount of sadness when they would have seen the economic ranking of where we are in the scheme of things. We have to do better. If we are to boost our tourism, we have to do better. If we have to secure the foundation, the future of the nation, our young people, we have to do better. We have to work together to make this thing work.

We could sit there from now to doomsday and try to score political points on each other, we would all fail. We will sink, and the criminals would be out there saying, while they “baffle and hassle”, “we tief away Trinidad and Tobago”. They are the ones who have us under threat. The criminals are the ones who have us under threat. We talk in terms of the police and the brutality; the criminals are the ones who are unleashing the brutality on the nation. Gone are the days, as I heard the Member from Pointe-a-Pierre say, where you could have left your clothes on the line or you could have had your plants outside.

**Mrs. Mc Intosh:** Seventy years ago.

**Hon. C. De Coteau:** Right? Not 70 years ago, now you “cyar” do it—no, but you could do it in some areas. In some areas of my constituency people still do that, but I would not say where [*Crosstalk*] because the next thing is the criminals will say they going and invade the area.

**Dr. Khan:** The only thing outside is a blue van.

**Hon. C. De Coteau:** But the point is, we are living in prison.

**Dr. Khan:** Is only a blue van outside now.

**Hon. C. De Coteau:** Right? We are living in prison. We have the alarm system, so if “yuh” door open, you see it, it is on the phone and you start to call up this one: and “go and check home and see if something is there.” They are poisoning people’s dogs to get into the yard.

**Hon. Member:** That is true.

**Hon. C. De Coteau:** They are monitoring the area. And you know what? We are twiddling, and we are verbal bantering and scoring points and they are ransacking our constituents’ homes.

**Mr. Sharma:** Rome is burning.

**Hon. C. De Coteau:** Right? Our constituency is under pressure and we up here twiddling, and what they say. You know, one calypsonian say, “they kicksin in Parliament”; because we give them that to say by our behaviour inside here.

**Mr. Sharma:** They cannot say that about you at all.

**Hon. C. De Coteau:** They give us that to say.

**Dr. Ramadharsingh:** No. Your contribution is solid.

**Hon. C. De Coteau:** We need to work together. We need to work together to get this thing going.

#### PROCEDURAL MOTION

**Mr. Speaker:** Hon. Member for Moruga/Tableland, there is a Procedural Motion to be addressed, to be moved I should say, at this time. Leader of the House?

**The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal):** Mr. Speaker, I beg to move in accordance with Standing Order 10 (11), that the House continues to sit and to continue to debate the matter before us, the Defence (Amdt.) Bill.

*Question put and agreed to.*

**7.50 p.m.**

#### DEFENCE (AMDT.) BILL, 2013

**Hon. C. De Coteau:** Thank you, Mr. Speaker. The amendment of this Defence Act, has been said while here this evening, is to confer on any member of the defence force who is engaged in assisting any member of the police service in the maintenance of law and order with the same powers, authorities, privileges and immunities as are given by law to members of the police service and, as I said earlier, Mr. Speaker, there might be challenges to this Bill and I am asking my colleagues in the House that we should sit down with the appropriate amendments to have this corrected and put it right.

The cooperation between the defence force and the police service would allow for shared expertise, shared knowledge, shared training, and if I should go into the realm of the religious and say, in the same way as Jesus sent out his disciples in twos, these two organizations will work together as witnesses to each other to bring some kind of relief to the suffering that we presently face in this land.

Mr. Speaker, you know, we want to restore the 382 heritage sites that we have. I read a report where the Director of Highways was talking about some lift somewhere in St. James, how it is so easily vandalized. Why? Why? Why, we say.

**Hon. Member:** Walkovers.

**Hon. C. De Coteau:** We are trying to get the walkways.

**Hon. Member:** “Ramadharsingh”.

**Hon. C. De Coteau:** “Ramadharsingh or who thing it”, but the point is as they fix it, those people go and cannibalize it. Right? And these are the concerns we have. We have identified and we have put it for listing, the 382 heritage sites.

In the past, Member for La Brea, you know the concerns we had, where people going, the tourists going, and the fellas were robbing them. I mean, this is not good. You go up to some areas—Mayaro, in the beach houses—you cannot leave the doors or windows open to get the sea breeze because some intruder might come in.

**Dr. Ramdharsingh:** A sense of community, man; bring back a sense of community.

**Hon. C. De Coteau:** We have to have that sense of community, and I can say that we up here should set the example.

**Mrs. Gopee-Scoon:** I agree.

**Hon. C. De Coteau:** We should set the example. Let us work together. Yes, we have to disagree without being disagreeable, but at the end of the day, I feel we can send a message to those people out there to talk in terms of the spirit of cooperation. We have to be the first exemplars and to set the example.

**Mrs. Thomas:** Look how he is watching Alicia.

**Hon. C. De Coteau:** Oh, sorry, sorry, sorry. I have to “ketch” the Speaker. Sorry, Mr. Speaker. I seem to be magnetized in the Member for Arouca/Maloney’s direction at times.

**Hon. Member:** “Oooh”. [*Laughter*]

**Hon. C. De Coteau:** My apology, Mr. Speaker. [*Laughter*] And someone is saying “mesmerized”, oh my gosh. [*Interruption and laughter*] So, Mr. Speaker, I would like to end—

**Mr. Indarsingh:** Member for Arouca/Maloney, you have quite a fan.

**Hon. C. De Coteau:**—my brief contribution by saying, yes, there might be flaws, but the sincerity of our hearts—and I know that we all have the passion and that commitment to the members of our constituencies, because they are all affected in some way or the other.

You would know that; every Member in this Chamber would know that because, at the end of the day when it happens, they come to you and say, “MP, help me.” You have to put back some meals for them, you have to find a place for them.

**Dr. Khan:** “St. Ann’s East nodding her head, she know.”

**Hon. C. De Coteau:** They have no respect for offices; they would break in the offices. I think I read where the Member for Fyzabad’s office was broken in.

**Hon. Member:** Twice. Twice.

**Hon. C. De Coteau:**—twice, and the other offices. They break into your cars. Right? *[Interruption]* So these are the situations we face. So let us—I am asking, I am appealing to you all, more so for my constituency, let us work together—

**Hon. Member:** Come on, get a conscience.

**Hon. C. De Coteau:**—so that we would be able to alleviate the suffering and the fears that our people have—

**Hon. Member:** The citizens.

**Hon. C. De Coteau:**—all of them, the citizens.

Mr. Speaker, I thank you. *[Desk thumping]*

**Mr. Speaker:** Hon. Member for Diego Martin Central.

*[Dr. Amery Browne rises]*

*[Desk thumping]*

**Mrs. Gopee-Scoon:** Let the debate begin. *[Laughter]*

**Dr. Amery Browne (Diego Martin Central):** Thank you, Mr. Speaker—

**Hon. Member:** Three hours late.

**Dr. A. Browne:**—for the opportunity to contribute to this debate. I listened very closely to my colleague the Member for Moruga/Tableland, who was very calm and sober in his contribution, but he appeared to spend much of his time

trying to convince us that there is crime in Moruga/Tableland and there is crime in Trinidad and Tobago. Fair enough.

But then he took us on a gargantuan leap of logic because he moved—from the point of convincing us, those who needed convincing that there is crime in Moruga/Tableland and there is crime in Trinidad and Tobago—to this Bill is a good idea. Mr. Speaker, that chain of logic or absence of logic is simply not good enough for the Lower House of Parliament. Convincing us that there is crime in Trinidad and Tobago cannot be equivalent to support for this particular Bill. [*Desk thumping*]

Then he ended up by saying, well, there may be flaws, et cetera. Well, that is the problem: the entire Bill is flawed, the premise behind the Bill is flawed, there is no justification for the Bill, and worst of all, your Government is seeking to give the army or the defence force, police powers without police responsibilities. We on this side are seeing the dangers of this measure and are warning the Government, that this Bill should be withdrawn, it should not be tabled at all in this House, and let us move on to real solutions to this problem of crime. [*Desk thumping*]

But, Mr. Speaker, this Government has a big problem on their hands. Their biggest problem is this: no Government that has lost the trust of the people can hope to solve crime in Trinidad and Tobago. [*Desk thumping*] Mr. Speaker, I will repeat it for the benefit of the Members that are sitting there: no Government that has lost the trust of the people can hope to solve crime, and this Government has totally lost the trust of the people of Trinidad and Tobago. [*Desk thumping*] That is the elephant in the room, so they would come with whatever Bill or whatever measure, people out there are simply not accepting what they are saying; people in here are not accepting what they are saying because we have “burned to learn”—we have had the experience with this Government and we recognize we cannot take them at their word when they bring legislation here and we have had many examples of that. [*Desk thumping*]

The citizens do not trust them with increased powers for themselves or any arms of the State or anything that affects liberty out there. We do not trust this Government because they stole our trust. They stole the trust of the citizens of Trinidad and Tobago in 2010 and then they frittered it away. It evaporated in a haze of Resmi appointments, of dismantling of working programmes, of SOEs that were very poorly justified, false arrests, harassments of citizens. We had examples: very recently, up to last week Friday, innocent citizens being harassed, public officials before the courts, et cetera, and not PNM public officials as they

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prophesied—UNC officials before the courts time and time again. Then the greatest example of the violation of trust was the notorious section 34 debacle that remains a stain on this nation to this day.

**Hon. Member:** “Hmm, oh yes.” [*Desk thumping*]

**Dr. A. Browne:** Mr. Speaker, the Member for Pointe-a-Pierre gave us some of his wisdom, and one of the things that he said that struck me was—and I hope I am quoting him correctly—“examine history more closely and learn from it”.

He was basically giving us a little outline of Latin America and some of the historical developments, and he said—sort of justifying the contribution—we need to examine history more closely and learn from it. But, Mr. Speaker, that is exactly the problem that this Government is faced with, because we have examined their history, we have examined their record in this Parliament and it gives none of us any confidence to support a measure like this Defence (Amdt.) Bill. None whatsoever.

Mr. Speaker, just look at the manner in which this Bill came to this House; just look at the manner in which it came to this House. We got it laid on the Order Paper one week before it was piloted by the Attorney General. When we came here, we got a whole sheaf of amendments, it was clarified, the debate continued; we soldiered on, to use a phrase quite deliberately.

Then it became very clear that the Government had consulted with absolutely no one, absolutely no entity in the nation of Trinidad and Tobago in preparing neither the Bill nor the amendments that were brought to the House.

In fact, it was so absurd that while we were debating here last week Friday, there was a seminar taking place in the Hyatt Hotel, right next door, with Transparency International; and the Chairman of the Police Complaints Authority was at that seminar and was being asked questions by the media about the role or the non-role of the authority in the administration of the measures proposed in this Bill.

And, Mr. Speaker, the chairman of the authority indicated that they had no role because, little did she know that while she was speaking there, the Government was tabling an amendment here in the Parliament that gives that authority increased responsibilities over individuals that they have no training or knowledge of whatsoever, dragging the Police Complaints Authority in an attempt to put some sort of bandage on a Bill that is already fatally wounded in this Parliament—another demonstration of their lack of consultation with key



elements in the chain of justice in Trinidad and Tobago on important measures like this, and also their lack of competence even after the fact to bring things in this piecemeal manner.

**Miss Mc Donald:** “Vaille que vaille”.

**Dr. A. Browne:** “Vaille que vaille” legislation; “vaille que vaille” governance, “vaille que vaille” non-performance, Mr. Speaker. [*Desk thumping*] No consultation whatsoever.

Then we come today and during the debate a number of presenters had already finished, we get another sheaf of white paper coming down the road, more amendments, more amendments. It is like a fatally wounded individual and the Government is just putting plasters all over the skin hoping to stop the bleeding. Mr. Speaker, this Bill is doomed. [*Laughter*] It is fatally—it is gone, it is gone, it is gone, either here or in the other place. It is gone, that is my prediction. [*Desk thumping*]

It is just a bad measure, it is a bad idea, it is poorly justified, it is not going to work, and many of the speakers on the other side found ways to acknowledge that, even in their contributions; and their succor—their relief—was in retreating to the position of reinforcing that crime is bad and citizens are under threat.

But, Mr. Speaker, that is not justification for a specific measure like this, especially when it affects the rights and freedoms of our citizens and it affects the operations of our uniformed services that are already under threat, and I will give you several examples of that. But the UNC has a formula in this Parliament. Let me identify what that formula is. Let me identify the formula very clearly: bring a derelict Bill to Parliament, hastily assembled; bring a derelict Bill to Parliament with no hope of really achieving anything, and when the Bill fails then blame it on the People’s National Movement and claim that it would have solved crime if only the Opposition had supported the derelict Bill in the first place.

Mr. Speaker, you know what the best example of that was? The hanging Bill. They brought a derelict, waste-of-time piece of legislation here. Wasted our time, the citizens’ time. It would never have worked; anyhow you turned the paper, it was broken. When it failed, it crashed. It was their fault. Afterward they said, it would have solved crime, but blame the People’s National Movement.

Mr. Speaker, we are seeing elements of the same damaged logic in this particular debate, and I am telling you where this Bill is going to end up at the end of the day, because I would be very surprised if any intelligent, independent

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person—and I am choosing my words very carefully—in this society would support a measure like this. The Government has not done a good job of justifying or producing legislation that would be of any value to the citizens.

**8.05p.m.**

This Bill at the end of the day does nothing whatsoever to address the cultural root of the violent epidemic in Trinidad and Tobago—the culture of greed, the mercenary tendencies in the population, the culture of violence and rage, the culture that “might is right”; and we see so many examples of that, Member for Tabaquite—“might is right”. And citizens’ rights—sometimes even public officials’ rights—have been trampled and violated in the past. It is the big figures, the strong figures and the mighty ones—in and out of Government—that seem to get their way all the time. That is the reinforcement that many of our citizens are getting and that cannot be right, not to mention the culture of injustice.

So, unfortunately, this Bill, not only does it not improve that culture, but we have already given some examples—and I will give some more—of how this Bill actually makes that culture worse, makes things worse for our citizens.

I will turn my attention briefly to the Member for Moruga/Tableland because he found space in his debate to complain about piracy on the high seas. I almost thought he would cross the floor to sit next to the Member for Arouca/Maloney. [Laughter] It was incredible. She was almost drawing the points out of him. He complained about piracy on the high seas affecting his constituents, and that came on the heels of a contribution from a PNM Member of Parliament who was telling the Government that one of the worse decisions that they have made since they came into office—one of their many bad decisions—was the cancellation of those OPV contracts. That would have improved the chances of security and safety, not just for the fishermen in Moruga, but for every single citizen in Trinidad and Tobago.

It might do well, Mr. Speaker, if we spend a moment to address another flaw in the logic on the other side, which is that OPVs would be operating somewhere, some mystical waters far from Trinidad—way, way, away—and therefore pirates and smugglers would be free to work between South America and Trinidad, et cetera.

Mr. Speaker, it shows that they dismantle things without even understanding what they are tampering with. The Offshore Patrol Vessels—for the hopefully, maybe not the last time, the penultimate time—are part, or were part, thanks to

you—of an entire system of protection, safety and regional defence for the Caribbean Sea. It would have affected Trinidad and Tobago and also our neighbours because we are all integrally linked.

So to come here in 2013 after the entire population has realized that we are so defenseless against these importers of drugs and guns and to continue—in vain—to try to convince people that the OPVs would not have affected the cycle is, I believe, very much wasted effort. We heard it from, I believe it was the Member for Oropouche East that—or was it the Member for Pointe-a-Pierre—the guns and drugs are coming from South America and the OPVs are further up.

Mr. Speaker, you are talking about a continuum. If you have mechanisms in place within the region that affect any stage in the continuum, all of the drugs do not stay here because this is not the primary market for cocaine from Colombia and other countries in South America. If you have powerful mechanisms, such as the OPVs, with the attendant helicopters, with the other support vessels, it is an entire system—the fast interceptors—then you are shattering the chain that these drug barons depend on.

So, Members on the other side need to take ownership of the reality that they have given the greatest gift—they have presented the greatest disaster for citizens and not just for this year, and not just for next year, because there is no contract in place as we speak. There is no prospect of a contract that will help defend our waters and the region. There appears to be no hope or prospect for the future. So, it is not just this year, it is next year, it is the year after that, and it is going to take quite a while, but it will be done, for a responsible Government to come into office and to set these things right for the citizens of Trinidad and Tobago.

They have set us back years—[*Desk thumping*] and they have come with this piecemeal—the problem of violent crime in this country is a cancer that affects every family. It has certainly affected my own. They have come with Panadol to tell us that it is going to cure cancer. The Minister of Health is fully aware that Panadol and band-aids could never cure cancer, especially when the Panadol is poisoned and we have already shown that there is some element of poison. It has expired, certainly not inspired. This Panadol is not going to cure the cancer of violent crime in Trinidad and Tobago.

I would not focus too much more on the Member for Moruga/Tableland, but just to say that he spoke about his Ministry, which he is entitled to do, and he mentioned that they were all about patriotism, patriotism. But you know, Mr. Speaker, part of the whole focus of patriotism has to be defending, protecting and

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supporting our citizens both at home and abroad. If we were to hear of any of our nationals in trouble abroad, whether with the authorities or not, I think it would be patriotic for a Government to seek some information to provide some consular support or other things, but we find the media is crying out for support for these citizens who appear to be in trouble in the United States, the Government seems completely disinterested.

So if the Member for Moruga/Tableland is so focused on patriotism he might wish to have a word with the Minister of Foreign Affairs and ask him to please mobilize the resources of State to get us some information on these young men who are alleged to be in some degree of trouble in the United States. That would be the patriotic thing to do. Let us lend the support of our systems, our consular support, and get that matter clarified. That is patriotism, Mr. Speaker, come on, have a heart. It is not an interrogation but that is what the taxpayers are spending money for, both at home and abroad. They expect support and protection. He talked about ceremonial marches but I would not get into that.

But, Mr. Speaker, the Member also referred to the role of the army and this part got interesting because he did something that no one else on the other side did. He got into the role of the defence force and he read from what I believe was the Defence Act which is also very proudly displayed on the website of the Ministry of National Security, Trinidad and Tobago Defence Force. And the two things that appeared to catch the Member for Moruga/Tableland's eye were the responsibilities of the defence force:

- “2. To cooperate with and assist the civil power in maintaining law and order;
3. To assist the civil authorities in times of crisis or disaster.”

And there we had our next massive leap of logic.

So the responsibilities in the Act—to assist the civil authorities in times of crisis or disaster and cooperate with and assist the civil power in maintaining law and order—and he said “ah ha”, that is the justification and what we are doing with this Bill is exactly that. Mr. Speaker, that is not what this Bill is doing at all. This Bill is not giving the army the ability to assist the civil authorities in maintaining law and order. It is giving the army the power to be the civil authority in Trinidad and Tobago, to enforce the law, to arrest citizens; and that was never envisioned. That is—as far as I am concerned unconstitutional and therefore cannot be a justification for any legislative action that we might wish to take here.

Mr. Speaker, my attention was also drawn to the words of the hon. Prime Minister, when she told this nation that the army is for when there is war and

there is no war and therefore we do not need an army. I want to choose my words carefully but I cannot imagine how anyone would accept that as a logical, sensible or acceptable statement or conclusion to draw. Army is for times of war and therefore there is no war so we do not need an army. So how does the world really operate? I mean, she is the Prime Minister, maybe she can help us. You wait until there is war and then you form an army? Is that how it works? The only countries that are expected to have armies are countries that are engaged in warfare? That makes no sense. You go to any primary school and they would argue—they would win you on that argument.

**Miss Ramdial:** You interpret it wrong.

**Dr. A. Browne:** Member for Couva North that is exactly what she said. [*Crosstalk*] Well, Mr. Speaker, there are Members who are yet to speak and they may wish to clarify, they may wish to quote the *Hansard*, but if they disturb me they might risk incurring the wrath of several persons. [*Laughter and desk thumping*] You should learn from the experience of others, Member for Couva North. That is all I will say on that.

I will proceed and I will try not to be distracted by my colleague to my right. So that is really—I cannot say the word “nonsense” but it is unsupportable, that is unsupportable. So there is no war, so we do not need the army and therefore we should support the Bill because the army is available to us for other purposes. Mr. Speaker, nothing could make less sense than such a statement, and when we hear such statements coming from the Government it really demonstrates how comprehensive their incompetence and inability is to lead the nation of Trinidad and Tobago in any positive direction. [*Desk thumping*] It reveals that all they are qualified to do is to lead this nation down and down and down and that is what they are doing right now. [*Desk thumping*] You only need an army when a war is started. It is absolute—no—[*Interruption*]

**Miss Ramdial:** Be careful, watch your language.

**Dr. A. Browne:** I do not even want to say, it is hard to use adjectives sometimes, but I think the point has been made.

What about the oil platform that was invaded recently? Is that not a threat to our national security? What about the very real existence of terrorism right across the globe and recent reports have indicated that Al-Qaeda and these other groups are not dead at all and in many ways are restrengthening themselves, but Trinidad and Tobago is on a planet of its own. We have moved to the moon and we do not need any army, we do not need border defences, because we are not at war,

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nobody is threatening us. Where does this innocence come from? Where does this veil of blindness come from to allow the Government to bring those kinds of arguments into this Parliament and towards the national community? Terrorism remains a clear and present danger.

**Mr. Imbert:** It is a good deal.

**Dr. A. Browne:** It is a good deal according—there is a continued invasion of drugs and arms. They are saying it and yet they want to redeploy the army to other purposes, to John John and Laventille and enforce a different kind of war that they are seeking to wage, and there are stability issues in the region. Let us not fool ourselves. Leaders do not last forever. We all know that, and in some countries when leaders die there is the potential for instability.

Even further to the north in the Caribbean there is another ill; he is no longer the official leader, but a very influential figure in his country and all of these things responsible Governments and countries are aware of and act accordingly. In Trinidad and Tobago we have decided, in order to try to force this into the heads of the population, we are going to say that there is no threat to Trinidad and Tobago and make a big joke of it and therefore “we wasting money on an army.” I suspect there are many people who are happy to hear that kind of logic—the same people who were happy to hear about the cancellation of the OPVs contract. I am sure champagne was being consumed in some hotel somewhere when those things were being announced.

So, Mr. Speaker, people have been listening to the Government and members of the uniformed services have been listening to the Government. Let me tell you, they have realized that this Government does not even know what the defence force is. They do not even know what the defence force is. You know why? Because they have come here with these clauses and all these amendments talking about the defence force, defence force, defence force but when they speak all they talk about is soldiers and army. I do not even think that they realize that the defence force includes the coast guard. They do not even realize the defence force comprises the air guard. They do not even realize that the defence force as covered in this Bill comprises the defence force reserves and the volunteers--[*Crosstalk*] exactly.

So, this broad-brush approach is a terrible idea. I do not know which of these we could spare—[*Interruption*]

**Mr. Imbert:** The air guard.

**Dr. A. Browne:** Well hold on—the air guard to start with because we know the air guard has been busy doing taxi work and so on, so maybe they figured we have no aerial threat we can use them as taxis and maybe they could start arresting people while they are doing that. The coast guard, well--*[Interruption]*

**Mr. Imbert:** We do not need them.

**Dr. A. Browne:** Exactly, we send hundreds to train in the United Kingdom. There are no vessels for them to work on so maybe we can slap an armband on them with MP on it and put them to arrest people in the street. Mr. Speaker, that makes no sense whatsoever. So they do not know what the defence force is, they think it is synonymous with soldiers. Then the distinguished Member for Oropouche East, his biggest point, his most triumphant crescendo was when he said we monitor crime on a real-time basis for the first time—and it sounds impressive.

**8.20 p.m.**

They are monitoring crime on a real-time basis. Bravo, Mr. Speaker! Great is the UNC! They are now monitoring crime on a real-time basis. But, Mr. Speaker, let us go behind the headline. What on earth does that mean? What does that mean to any citizen? What does that mean to the people in Maraval last night who reported a man with a red bandana around his head walking boldly down Saddle Road, and no patrol, no police vehicle in sight—no response? What does that mean: “we are monitoring crime on a real-time basis”? That was his crescendo, Mr. Speaker.

**Mr. Imbert:** “Night-time doh fit into dat.”

**Dr. A. Browne:** Mr. Speaker, what crime is he talking about? What are they monitoring on a real-time basis? Because, Mr. Speaker, this Government has no clue whatsoever about the new Flying Squad, so clearly they are not monitoring those crimes, because on the face of it, if we believe the Government, crimes were committed over the last six months—they are not monitoring those—except maybe the Member for Cumuto/Manzanilla. He might be the only one who is at least admitting some knowledge in this.

**Mr. Imbert:** Poor fella!

**Dr. A. Browne:** No one else knows anything, but they are monitoring crime on a real-time basis. “Nobody knows nothing!” So either this Government is fully implicated in that matter or they are totally incompetent. They need to pick their poison, one of the two.

**Mrs. Gopee-Scoon:** St. Joseph might know.

**Dr. A. Browne:** Mr. Speaker, they are monitoring crime on a real-time basis but they have no clue about that chicken that was seasoned with green seasoning—special green seasoning. And the population is aware of these things. So you are talking, you are coming to solve crime with this Bill—this Panadol, this poisoned Panadol—but there are major issues that have already come to the national attention that the Government seems very uninterested in, uncurious about and we are not aware of any resources being mobilized to pursue these issues.

Mr. Speaker, the Government is monitoring crime on a real-time basis, but we are all apparently clueless about a heinous murder that occurred at defence force headquarters. I want to ask, with all of this concern—we are bringing in army men and all of that—what resources has the Government sought to mobilize to assist the army to solve that particular murder? Because, that, Mr. Speaker, is not something any of us should take lightly, because we are talking about the defence force headquarters and we are talking about the possibility that there is a murderer—or murderers more likely—in uniform, engaged in work, being paid by taxpayers and obviously working for other people.

Mr. Speaker, there is the prospect, with this kind of legislation, of those persons now being imported even further into civilian law enforcement. Some of them might end up with an armband because up to now the Government has not told us who is selecting these defence force personnel to put that armband on. Who is doing it? Is it the Minister of National Security? Is it the National Security Council? Is it Mr. Heerah?

**Hon. Member:** Roger.

**Dr. A. Browne:** And I could tell you a bit about him, but I will save that for the next debate. Is it who?

**Hon. Members:** Roger! Roger!

**Dr. A. Browne:** Is it the Chief of Defence Staff, Mr. Speaker? It appears that they are now leaning heavily—they think he is a good person to give all this new responsibility. But, Mr. Speaker, how could he select officers for police work when he is not a policeman? He has never been. He has no experience in law enforcement. So how can he make that selection? It makes no sense, whatsoever. And they better not say it is the Commissioner of Police because he does not know the personnel in the army and, therefore, he is also incompetent to make those selections.



So who can it be? Who can it be now, Mr. Speaker, that is making those selections? The Government does not know, but I suspect, in their usual modus operandi, they will come up with something on the fly that appears to fit with what they feel the population wants to hear.

So they are monitoring crime on a real-time basis, but they are clueless about that. You know what happened with that murder, Mr. Speaker? For the first time I am aware of, in this country, there was an attempt to “un-murder” a dead body. That is the Trinidad and Tobago we are talking about, and the Government is saying they want to bring down the homicide rate. There was an attempt, involving a number of individuals, to “un-murder” a dead body, and this is a member of the defence force we are talking about. This is serious business! So they tried to “un-murder” him with various postmortems and we are just expected to sit back and trust the Government. Yes, let us put the armbands on more people and get them out there. Goodness gracious, Mr. Speaker!

The detection rate is falling, as presented by my honourable colleague—falling under this Government. How is the army going to change that?

**Mrs. Gopee-Scoon:** Disastrous!

**Dr. A. Browne:** What? How are they going to change that? Who are the detectives in the army? Who are those experts in forensics, and so on, in the army that are going to now be given powers of arrest, as if that is somehow necessary? The detection rate is falling. How is this Bill going to help us?

So you have all these “arrestors” out there. Everybody is an “arrestor” now; everybody gets an armband. Member for Tabaquite, you get one. Everybody gets an armband. Right? [*Laughter*] This is the solution to crime, Mr. Speaker. We need more “arrestors”. We do no detection. The chain of justice has been broken, as I am sure the Member for St. Joseph will tell us a little later, and you know he has some solutions to that. I have seen some of his writings, Mr. Speaker. It is broken, but all of a sudden, the Government has the solution. We need more “arrestors” out there in society. But they do not have proper evidence and the basic things that require follow-up—the forensic work, et cetera—none of that is brought to the table by our defence force personnel at this time. None of that!

So this measure, again, it is poison Panadol trying to cure a cancer that is comprehensive. Mr. Speaker, the best thing this Government could do—and I know they do not take suggestions unless it is convenient to them—would be to withdraw this Bill. If there are ideas within this that fit into a bigger, more

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strategic effort to reform all our uniformed services, they need to do that and be honest with the population: “This is what we are going to do. We are going to create a Costa Rica here.”

I am willing to engage in that conversation, Member for San Fernando West. I am very willing to do that, but it cannot be done under the guise of this little, heavily amended Bill. Let us talk to the national community; let us talk to the defence force personnel, because they have not done that. Let us talk to the police. They have not done that. They are now coming after the fact and trying to talk to them. And let us engage in an honest discussion: how best can we distribute these resources?

But, Mr. Speaker, this Bill is not an example of that at all, you know. This is the opposite. This is “vaille que vaille, fly-by-night, voop in the dark” and hope something works, persuaded by one or two Members on that side that I do not think have the strategic capacity to plan anything or to lead anything or to design anything, Mr. Speaker. We will talk about that in a little bit.

And they say we have no ideas. I think some Members have already demonstrated and have given very valuable suggestions to the Government. We do not have ideas? Mr. Speaker, I will add a few because we still hear the complaint time and time again that the police have no vehicles. So one suggestion I would have is that the Government take a decision today—today—that debars any Minister from driving a state vehicle. [*Desk thumping*] Sounds simple! And withdraw that Cabinet decision that made those vehicles available to public officials and simply provide them to the members of the uniformed services. That is one, Mr. Speaker. That is an easy win, and they can do that today, but I predict they are unlikely to do it, knowing the way they operate.

Secondly, Mr. Speaker, increase recruitment into the police service. There are many young people who are passionate about their country and who would be willing to serve in the police service. We are not talking about grizzled, hard army veterans with an army mindset; we are talking about young people at the youth camps, or others, who have been involved in training processes, who have studied and have gotten qualifications but find it very, very difficult because recruitment is—I think they were saying it is about 800 that they have recruited so far.

Mr. Speaker, that is not good enough. They have had three years—three years! That has been enough time to do many, many things; construct all sorts of prisons that serve no one and the cowshed in the Savannah, and all sorts of other things. They would have had time if they needed to build a whole new barracks

and train thousands of people. They could have done it, but they simply do not have the capacity to do anything proper for the citizens of Trinidad and Tobago.

So increase recruitment, but not just any recruitment, Mr. Speaker. They wanted ideas. I am giving it to them. Mr. Speaker, I insist that this Government implement polygraph testing for every recruit into the protective services. They can start that with immediate effect.

Mr. Speaker, there are challenges with regard to the existing members' terms and conditions, labour issues, but the recruits, that immediately begins to change the tide because we know the narco-industry has invaded every sector of society. At least our protective services—we can begin with the young ones to ensure that they are less likely to be so contaminated.

Polygraph testing across the board, as well as screening for drugs and alcohol. Mr. Speaker, while we are at it—and I think some years ago we implemented drug and alcohol testing for some prison officers, randomly. But that should be across the board for all uniformed services. And if they would complain and say, well, we are being unfair to them, maybe we should start right here in the Parliament—drug and alcohol testing for every Member of Parliament and every member of the Tobago House of Assembly. [*Desk thumping*] Anybody opposed to that? Randomly! I think we would be fine on this side. I am hoping we would be fine right through the House.

But this is how we start to build—[*Interruption*] Not you, Member for Oropouche East. This is how we start to build a system to repair that damaged trust that this Government is guilty of. That is how you begin. They are not doing anything, Mr. Speaker.

**Dr. Khan:** What about HIV?

**Dr. A. Browne:** Hold on! Hold on, Member for Barataria/San Juan. Hold your fire. Hold your fire.

**Dr. Khan:** What about HIV testing?

**Dr. A. Browne:** Oh, we could come to that, definitely. It should start with the Minister of Health. I agree with that, and STI testing. Foolish talk across there!

Mr. Speaker, start properly screening all recruits into our protective services with polygraph testing, drug and alcohol testing. And you realize they get very offended when you talk about that, but these are basic things, Mr. Speaker.

Moving right along. Stop the private jobs being done by members of our uniformed services. Mr. Speaker, that is more important than morphing soldiers

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with an armband into arresting and police duties. Stop the private jobs because you know what you have out there, Mr. Speaker? Persons in the employ of people in the private sector, they are wearing uniforms, and then sometimes they might be called upon to enforce the law against these same businessmen who, in a sense, have control over them, the control of their pockets. So how does this work? How is this country really expecting to work along these lines? So that is something else they could do.

So they have asked for ideas. I know the next speaker is going to come and say, “Well, why the PNM did not do that”? But listen, the PNM was adjudicated upon in 2010 and the issue of crime was a major issue in that campaign and the PNM was found to be failing. But you know the distinction, Mr. Speaker, is that at this stage the population recognizes that at least measures were being taken, some medium term, some long term that would have resulted in the breaking of the chain of violence, starting at the head of all heads. I will explain what I mean by “the head of all heads”, Mr. Speaker.

So stop those private jobs. Reform of the police service: we have got no update on that. Three years have gone! More than half your term has gone! Where are you with reforming the police service? We have no clue about that, and they only have about six more months to go, Mr. Speaker. I do not know how they are going to do it within that time.

Recruit the police officers who were fired from SAUTT and who can bring valuable experience and valuable manpower to the police service. They need to do that as well. They are already police officers and they can be utilized properly in that regard. Take steps to protect our borders, and another initiative that I would suggest to the Government, scrap this foolish Bill and let us move on to more practical solutions that could assist us.

Focus on literacy more, both inside and outside of the Government. Work on the forensics at all levels. After all the old talk after each case, Mr. Speaker, nothing is done, you know. Nothing is done! The newspaper articles, the forensics—I saw the Minister of Health criticizing this pathologist and that pathologist, and at the end of it, it dies down until the next controversial case arises, but we are bringing the Defence (Amdt.) Bill to make soldiers into police.

Mr. Speaker, this Government is upside down and backwards with everything that they do. Ensure that there is never a repeat of the wearisome abuses during that SOE because that was wearisome on our police officers as well. Some of them are guarding us right now, and month after month, week after week, they were

drawn out on these long, wearisome exercises, and it takes a lot from the soul of an officer to be caused to arrest people without evidence and so. None of them wanted to do that. So that was demoralizing; that was denaturing and that is not solved by this measure. So I warn the Government, as one of the recommendations, to avoid that kind of foolishness in the future, Mr. Speaker. We spoke about protecting our borders and working against the narco-industry.

**8.35 p.m.**

Mr. Speaker, all criminals use the roads at some point, and this Government should place more resources into road interdiction exercises at strategic points, using an extensive system of traffic stops across the country. That way, you really break the rhythm of some of these organized crime networks and you would be surprised at some of the results. It is done sometimes, but that is something that should be ratcheted up significantly. You do not need army people to do that.

What has happened, Mr. Speaker, the Government is so confused, they see army people sometimes in these roadblocks and they assume they need to have powers of arrest. The army is there, in these joint operations, as heavy weapons support. They are not there to be policemen. They are there as heavy backup. You see them; they have the bigger guns. Sometimes they stand in the background. When there is a roadblock, they are a little down the road. They are an intimidating presence and that is good, but the problem is not that they need to be arresting people there, they put down their gun and they arrest somebody.

The Government does not understand what is in operation now, far less to try to fix it. The army has an important role and they are playing an important role, but is less involved in civilian engagements, certainly less involved in arrests, prosecutions, processing and all the other things, court appearances, that the police are better trained, better equipped and are able to do. So, allow the army to play the role that they are trained and able to do, and with a strategic approach it is a fit. What this Government is trying to do now is a non-fit and, well, they are unfit—the Government that is. So, Mr. Speaker, we are on the line of suggestions and that was about the traffic stops and a system along those lines.

Mr. Speaker, this debate has been something else. The AG and the Member for Oropouche East brought out their old SOE speeches for us once again, and it was all about disaster and everyone is afraid in their homes, et cetera, but again, they failed to make the connection in intelligence between the threat in our homes, et cetera, and giving soldiers these armbands. Some soldiers are describing this as a schizophrenic Bill, because we have been hearing the Government saying, “It is

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here to increase the protection of soldiers.” What does that mean? Somebody explain that. The Bill is to increase the protection of soldiers.

Mr. Speaker, if we just take that as a sentence in English, it makes no sense; and the Bill does not do it. “It is to increase the protection of the soldiers, and we are doing the right thing,” and all this kind of foolishness, but the soldiers do not want that type of protection. They do not want to arrest anybody because that is not their work. That is not their “wuk”, that is not their job, that is not their training. They do not want to do that, so they are not asking for it, but you want to give it to them because that is your panacea.

Mr. Speaker, do you know what they want? They want the resources to do the jobs that they are trained to do. They want the resources to better protect our borders. They want vehicles. I am told, in 2010, 35 Land Rovers were purchased under this Government without a service contract. I am told that only two are working at this time, but you want to give the soldiers the protection they need. They probably need protection from this Government and their ineptitude. That is how I would interpret that. [*Desk thumping*] Do you know what the soldiers want, Mr. Speaker? Not protection by being able to arrest people. They want consideration for housing. That is what they want, for their families to move out of some of the situations that they are in; their dire situation. That is what they want, some additional consideration. Give the soldiers what they want. Do not give them what they do not want. They want promotion by merit. Not so, Members for Laventille East/Morvant and Laventille West? They want promotion by merit.

**Mr. Hypolite:** Yes!

**Dr. A. Browne:** They want that culture to be sacrosanct within the defence force. They do not want promotion by politics. They do not want appointment by politics. Protect them from that, Mr. Speaker. That is what they want protection from, not the power of arrest and all of this foolishness.

Mr. Speaker, no one wants this Bill. The Army does not want this Bill, the police do not want this Bill and the Government knows that now. [*Desk thumping*] The first day they stood here they said only the PNM do not want the Bill. Well, they have learned their lesson. They realized that. The civil society groups do not want this Bill, the coast guard does not want it, the air guard does not want it, the reserves do not want it. [*Crosstalk*]

Mr. Speaker, we have a few questions because I do not want to waste my time responding to this chatter and crosstalk that is incessant. The first question is: who

will select these officers? There has been no answer thus far. Second question: will defence force officers—now you know what defence force means. It is not just soldiers—of lower rank have greater power now, after this Bill, than officers of higher rank? Immediately, that is a violation of the army code of operation, and that would lead to division and fracturing. So you have lower rank officers who can now tell their superior, “I have powers of arrest. In fact, I could arrest you if I want to arrest you”, and the defence force simply does not work that way. That could lead to division.

Mr. Speaker, another question: has there been proper investigation into reports during this Carnival on police violence? Are you all aware of what happened at the offices in Port of Spain between municipal police and TTPS officers? Has there been any proper investigation of that? Because, Mr. Speaker, that could just portend even greater difficulties when we have this new cadre of armbanded, uniformed people—army police as has been said many, many times. How are they going to fit into that? Because even with the different divisions within the police, there are already tensions. The Government, not understanding what is going on, is simply complicating the matter further and increasing the prospects for conflict—I used the words Mr. Speaker, the prospect for conflict—within our uniformed services.

Mr. Speaker, the question has been asked, it bears emphasizing: will these officers be paid overtime? Defence force personnel are not entitled to overtime at all.

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member has expired.

*Motion made:* That the hon. Member’s speaking time be extended by 30 minutes. [*Mr. N. Hypolite*]

*Question put and agreed to.*

**Dr. A. Browne:** Thank you, Mr. Speaker, and Members on both sides. So where were we? We spoke about the police and police issue.

**Mr. Speaker:** Just one second. Hon. Members, I have been advised that dinner has arrived. We are not going to suspend our sitting, so Members are advised that you can probably stream into the lounge, have your dinner and return whilst the proceedings of the Parliament continue. So, hon. Member for Diego Martin Central, you may continue.

**Dr. A. Browne:** Thank you, Mr. Speaker, and in advance for any injury time that you may be so kind to provide me. Mr. Speaker, the overtime, defence force

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personnel are not entitled to it. Police officers certainly are. Do you know some police officers earn in excess of \$10,000, some more than that, much more than that, per month in overtime duties, and that is part of the compensation? That is how some police officers are able to buy a house. If they have to wait on the HDC they might have difficulties. So they receive overtime.

Now you have created this new cadre, armbanded army men, who are police in camouflage, walking through the streets and they are not entitled to overtime. Is the Government making any provision for them? Because they will be doing the duties of police, but having compensation vastly different to police. Again, potential for conflict, disagreement, dissatisfaction, disaffection, low morale.

Mr. Speaker, the Government does not think through anything they bring to this House, and we on this side will have to assist them in thinking through these particular matters. Defence force personnel are all entitled to meals. Police officers are not entitled to meals. How is this going to work in the police station? God alone knows with these additional persons, but maybe the Minister of National Security has that all filed away in his crime plan, in a file somewhere.

Mr. Speaker, what union would represent these officers? Would a union represent these officers because they are acting as policemen? The Member for Couva South has disappeared. I am sure he might have been of assistance in this regard as a union man himself. They say once a union man, always a union man.

**Mrs. Seepersad-Bachan:** We have the Member for Pointe-a-Pierre here.

**Dr. A. Browne:** Oh! Thank you, Member for San Fernando West. We need to recognize the presence of the union man of all union men, the Member for Pointe-a-Pierre, who is here and has already contributed, tongue in cheek, of course. Mr. Speaker, this Bill is a recipe for chaos.

Does this Government know—[*Crosstalk*—Caroni Central, I do not think today is the day for us to engage in crosstalk. Mr. Speaker, you do know that defence force officers are given two years of retraining—we have a cadet in our ranks—a sort of operational rehabilitation, reintegration, before they reenter the civilian population? Do you know why that is so? There is something called the army mindset. The Member for Moruga/Tableland talked about we calling them robots. They are not robots, but they are well trained. They are well trained to do certain things. When they go onto the rifle range and they train in weapons use, it is not like policemen trained to stop or to wound, et cetera. Aim for the heart, simple as that.



So, yes, you take them straight from the army, fresh from the army, army mindset, you put them in this six-month period in the barracks and you teach them something else. But, Mr. Speaker, under situations of high pressure, under situations of hostility, you revert to basic instinct, you revert to basic training. That is simple human psychology. Then what do you have on our streets? An entirely different mode of operation; and they have already said that the police have been guilty of more shootings and so on than the army. Well that is because the police have been more interfacing with civilians. Now you are bringing the army into that environment, what is going to happen? Those types of homicides will go up. Those types of killings will go up, Mr. Speaker. So there is something called the army mindset. They are not robots but they are well trained; they are very well trained.

They keep saying that, “Well, the soldiers are already doing it. We are just giving them the protection.” Mr. Speaker, that is just a distraction because it is not true. Soldiers are not arresting people, and they did not arrest people in SAUTT either. The Attorney General was incorrect in saying that. The Government is totally confused on this because they do not even understand what they are doing. In those joint exercises, the defence force personnel are not arresting. As I said, they provide that heavy weapons intimidating backup. They do not want to morph into police. They do not need to morph into police. There is no need for this Bill.

Mr. Speaker, the problems with the police service is not a lack of hands to put handcuffs on people. That is not the problem with the police service right now. It is a poor detection rate as we said. It is a lack of resources. It is an abysmal lack of a crime plan that is promised every week, but has not come for three years now. It is a judicial system that sometimes appears to work against the police instead of with the police and, of course, it is corruption at all levels. That is the problem our uniformed services are faced with and are confronting at this time.

Mr. Speaker, the citizens have looked for this mystical crime plan and they must be forgiven in concluding that, just based on that manifesto promise, the promises in and out of Parliament for three years and, today, with the Bill, still no crime plan. You will forgive us if we conclude that this is the worst Government this country has ever had. [*Desk thumping*] You would forgive us because crime is a serious issue. It is the number one issue in the minds of the citizens, and you keep breaking this promise every time you stand here in Parliament. [*Crosstalk*]

Mr. Speaker, crime is a serious issue. It has impacted every family. It is the number one priority, but it is our responsibility, despite that reality, to examine any measure the Government would bring to see if it is justified, to see if it is

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reasonable, to see if it would work and to see if it would cause further problems than it would solve. This Bill fails in every one of those regards. We have examined it. The Law Association has examined it and you know what they said:

“To permit the general exercise of State military power during peace time is contrary to the specific constitutional safeguards which restrict such use and is thus an unconstitutional overreach by the executive.”

That is the statement of the Law Association of Trinidad and Tobago. This Government is expert at ignoring good advice, and it appears they are ignoring the advice of the Law Association. [*Desk thumping*]

The Downtown Owners and Merchants Association rejected this Bill already. The Police Second Division—they want to kind of meet them until they change their minds, that seems to be the Government’s strategy, but they are not changing their minds. Civil society and NGOs, petitions left, right. The police and all are signing petitions. The PECL signalled they were not even consulted. The Government is not doing its job.

**8.50 p.m.**

So major crime—violent crime is a major issue. Yes, there are beheadings; yes, this is serious, everyone is concerned, but my problem with this Government is the gargantuan leap in logic. They expect the citizens to leap over the gulf behind them but no one is leaping with them, they are leaping by themselves, because, yes, crime is bad, but this Bill is also bad because this Bill does not help us to deal with the crime situation.

Mr. Speaker, yes, let me say it again, it bears repeating, the PNM did not solve crime but murders peaked in 2008 and began to go down after that. We believe that that decrease was not by accident but some of the measures that were being taken were beginning to pay dividends. This Government reversed all those measures and guess what has happened? They have now admitted that homicides are going up and up and up. That is the reality.

Mr. Speaker, there is a monster in Greek mythology called the Hydra.

**Hon. Member:** What?

**Dr. A. Browne:** The Hydra. The Hydra had nine heads and there was a head called the head of all heads. The thing with the Hydra, Mr. Speaker, when you cut off a head, two heads grow back, not one.

**Hon. Member:** What?

**Miss Ramdial:** Yes.

**Dr. A. Browne:** You are a teacher, you know. Two heads grow back, so it is impossible to defeat. The Hydra has a body of a snake and a breath so foul that it kills cattle and villagers. Dreadful, almost unconquerable creature. I see that as violent crime in this country. This Government has been hacking around the edges almost like they want to cut the fingernails of the Hydra. They are not really doing anything to the beast at all, because the way you defeat the Hydra is you have to address the untouchable head. *[Interruption]* The head above all heads. The capo—*[Interruption]* Oh, maybe I would not want to use that phrase. *[Laughter]* But the head above all heads, Mr. Speaker. Because what our hero did—Heracles did—is that he chopped off the head above—he crushed with a club the head above all heads and he cauterized all of the stumps with fire. He buried the head above all heads below the ground and he put a boulder on it and the Hydra was killed.

Mr. Speaker, this Government does not understand the root cause of our violent crime epidemic. We are saying we recognize the need to address the head above all heads. Those measures—yes, costly, expensive but necessary—were designed for the first time to help Trinidad and Tobago sever, cauterize and bury the narco-industry that is plaguing this society. That is what it was designed to do. I would want this Government to tell me what they have put in place—*[Interruption]*

**Mr. Seemungal:** “Ramley”?

**Dr. A. Browne:**—in the absence of that. They are no Heracles at all. In fact, they appear to be feeding the Hydra sometimes as opposed to battling it. That is the problem.

They talk about Jamaica and Jamaica, not realizing that in the Jamaican experience, the soldiers were not arresting civilians at all. But what they did, that is not being done here. They attacked the head of all heads eventually and Dudas Coke—and we have “Dudas Cokes” in Trinidad and Tobago as they are right across the Caribbean. He finally was made to pay the price. That takes political will and I do not know if the Government has demonstrated that. “Because if you cannot take down ah weed and chicken man, how you will take down ah Dudas Coke?” How? How? They cannot Mr. Speaker. We cannot rely on them to do it; we cannot expect them to do it; they are not going to do it. They have brought a band-aid, they have brought an arm band, when we are dealing with the cancer of violent crime.

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Mr. Speaker, the Minister of National Security also treated us to a presentation about agents meeting and so on, and he named the various individuals in that presentation. I was very alarmed when I heard those pronouncements. It reminded me of the Prime Minister when she said that there was a plot to assassinate her—reported in the *Express*—which she described as an act of treason. The Member for Chaguanas West appeared to be going down the same line and that is not something we should take easily. I will quote from the *Hansard*, Mr. Speaker:

“Call Bell, call De Lima. At that meeting...Barry says”—it—“is time to destabilize the country...he discussed ways and means of doing so and...they asked where the moneys coming from...they were able to identify the money and where it is coming from.”

So we should support the Bill basically. [*Crosstalk*] That is what we heard.

I became alarmed because I am aware of an Act in force called the Treason Act. Mr. Speaker:

“Any person owing allegiance to the State...whether in Trinidad or elsewhere—”—who—

“(a) forms an intention to levy war against the State or to overthrow the Government or the Constitution...by force and manifests such intention by any overt act;”

They met and they had this plan and they identified money and so on.

“(b) adheres to the enemies of the State by giving them aid or comfort,”—that is (b)—

“is guilty of treason”—and what?—is—“liable to suffer death by hanging.”

Mr. Speaker, that is what was brought into this Parliament and citizens have now said they are innocent of this charge and this indictment that was laid.

“...guilty of treason and liable to suffer death by hanging.”

Mr. Speaker, the Treason Act goes on:

“Any person who knows of...treason, and does not forthwith reveal...same to some Judge or Justice, is guilty of misprision of treason, and being convicted...shall suffer...punishment by way of imprisonment and fine as the Court shall award.”

So, Mr. Speaker, if any Member of Parliament is aware of treason or treasonous acts, it is not a matter of coming here and old talking and dragging people's names on the ground as was allowed. I saw the Member for St. Augustine sitting comfortably during this treatise. They are duty-bound to forthwith reveal same to some judge or justice otherwise they are also guilty of breaches of the law, so I was very alarmed. Mr. Speaker, how much more time do I have?

**Mr. Speaker:** You have about 15 minutes again.

**Dr. A. Browne:** Thank you. Oh boy! Mr. Speaker, I am going to get to some key points then. I would have some time to get to a number of key points that I would like to make. [*Crosstalk*] Hold on, hold on. Mr. Speaker, and then also on Friday, in this Chamber, the Minister of National Security also admitted to a reality that every citizen has known about the crime statistics in this country, and he started off in an unusual fashion. Again, I refer to the *Hansard* and I am quoting the Minister of National Security:

“I was saying that this percentage reduction of 28 per cent is the most significant...reduction in murders ever achieved in the history of the police service, but they do not know that.”—pointing at the PNM—“Dey doh...that—is to cuss the police...” et cetera, et cetera.

So he is talking about a 28 per cent reduction. He goes on:

“In this country, they, of course—there is a belief that murders represent all crimes in this country.”

It goes down a little lower:

“So let us take serious crimes. Murder, I agree, Mr. Speaker, is on the rise...”

So, first of all, there is a “reduction of 28 per cent”—then:

“Murder, I agree is on the rise, on the up, by 36 per cent”.

Mr. Speaker, these are the words of the Minister of National Security.

“...and they have to fix that”—I do not know who is this ‘they’—“and I will tell you how just now...one of the ways...is to bring this Bill here to empower...soldiers...”

I mean, that is, again, the gargantuan leap in logic. But, the Minister of National Security is saying to us for the first time that murder is on the rise, on the up, by 36 per cent.

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But, Mr. Speaker, those words troubled me, “yuh know”. Those words troubled me for more than one reason, because, on August 02, 2012, this same Minister told the Chamber of Industry and Commerce, at breakfast, “Hold me responsible”. Let us see what those words were. Reported in the *Newsday*, July 19, 2012:

“IF THERE is no reduction in serious crimes within the next six months, National Security Minister...said that the country can hold him responsible.”

That is at the top of the article.

He “made this bold”—he is a bold declarer—“declaration...as he told businessmen at...the TT Chamber of Industry and Commerce...no one can expect”—action in—“a day”—or results in a day that the—“crime rate will...fall”—in a day.

He “said he will unveil his national crime plan to the National Security Operations Centre (NSOC) next Tuesday at 2 pm”—my lord—“then to the National Security Council and the public.”

Well, next Tuesday is probably in 10 years; it cannot be next week Tuesday because we have not seen it yet.

“Bit by bit, you will see...unfolding.”

And then lower down:

“He said that citizens cannot expect when the initiative is announced, there would be a reduction in crime the next day or...the next week. ‘But I’ll tell you this. If a year from now...in fact, six months from now, we come back here and there is no marked reduction in crime, I tell you...hold me accountable!’”

Mr. Speaker, we are holding him accountable today. [*Desk thumping*] Based on his own advice, I would expect the Minister of National Security to offer his resignation to the Prime Minister and the nation. [*Desk thumping*] These are his words, Mr. Speaker. These are his words!

He went on to equate crime—look at this! This is the *Newsday*, August 02, 2012:

“Mr. Warner hit the proverbial nail on the head when he stated...‘Crime is homicide and homicide is crime’, and unless the incidence of homicide is significantly reduced, no statistics showing a decrease in serious reported crime will remove the perception that crime is on the increase.”

Mr. Speaker, he is indicted by his own words as having failed and saying to hold him responsible. So why is the Prime Minister and the Cabinet not doing that? We really have to wonder.

Mr. Speaker, the Attorney General spent a lot of time—he made a lot of references to the SOEs of the past. He kept saying the army had these powers during the SOEs of the past—1970, 2011, et cetera, 1990—and they did not beat up people. Somehow he thought that was a good point to make. “Dey had those powers during the SOEs, dey didn beat up people.” But, first of all, that is not true, but, second of all, it was a Freudian slip, because what this Government is really trying to do—and I want the population to listen carefully—is to declare and introduce an informal state of emergency for the next two years.

**Hon. Member:** True! [*Desk thumping*]

**Dr. A. Browne:** For at least two years, we will have an informal state of emergency where these same powers the AG was boasting that the army had in the state of emergencies, they will now have them. He is telling us that, “yuh know”. That is de facto, the introduction of a SOE informally without declaring it and getting the involvement of the President once again. He went on to say other things about “big belly” police but I am not going to get into that.

Then he gave us a long speech about the Magna Carta and human rights and constitutional rights and all sorts of things. But, Mr. Speaker, how dare they talk about human rights and constitutional rights after my colleague from Port of Spain gave us a clear indication of how bad the violations were with that unjustified state of emergency here in Trinidad and Tobago? The same Constitution they want to reform now is the same one they tossed aside with that unjustified, unproductive, unintelligent, unforgiveable state of emergency.

Mr. Speaker, the first action taken in June, after a key appointment, was to go down at that Highway Reroute Movement. With who? Soldiers! Soldiers!

**Hon. Member:** True!

**Dr. A. Browne:** Now, they did not have the power to arrest then, even though I think they tried with poor Dr. Kublalsingh, they tried; they did not have those powers. If they have their way today, God alone knows what is going to happen in Trinidad and Tobago. I am declaring that this Government has shown their hand. [*Desk thumping*] This is really about taking powers they do not have, they do not deserve, and creating a militarization. I am not saying it is a military State, but

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they are taking us in that direction. [*Interruption*] As my colleague said, it is almost a soft introduction of martial law. I think that was a good point that you made, Member Hypolite. Mr. Speaker, so that is where we are.

Then, the AG talked about we only have 2,000 police on duty out of 7,000 because of the shift system. So wait, we are the only country in the world that has police on and off duty? What is this? They have just woken up after three years and they have realized that there is this deficit. They have not really done anything about it, but the cure now, after three years, is convert—put armbands on army men and make them into policemen. That is a short-sighted hare-brained scheme.

It further reveals their ignorance of the roles and functions of our security services. It reveals their cluelessness to solve the key problems that confront us as a society, that confront the people of Trinidad and Tobago. It is evidence of the hypocrisy of the UNC, and their COP enablers, who came into office based on their promise that they could solve crime and reduce murders in Trinidad and Tobago. Their manifesto says so; their 100-day plan says so “and all”. The reality is, they did not even know where to start, and three years later, they do not know where to start. [*Desk thumping*] They still do not know where to start.

But, they were warned, Mr. Speaker, they were warned, to govern this country, “you need ah vision, you need ah plan”, they have none. [*Desk thumping*] We warned them! We warned them!

**Mr. Jeffrey:** None at all!

**Dr. A. Browne:** We warned them. It is abundantly clear that even the average citizen has a better grip on the violent crime situation than this Government. They are clueless. The crimes we are seeing are horrific. They are message crimes. Senior citizens being violated in the most violent ways. This did not start yesterday; it has been going on for some time. [*Crosstalk*] Yes, yes, I know you are happy with that point. The problem is, the measures they are taking are not really going to do anything about that. It has been getting worse as has been admitted, finally, by the Minister of National Security.

**9.05 p.m.**

At least we were taking steps to deal with the Hydra’s head above all heads. You all are taking no such steps. I stand by those words. You cannot demonstrate that you have taken any steps to deal with that. Our children will pay because it will take a long time to put those things back in place.



Mr. Speaker, this Bill is dangerous. The Government has misdiagnosed the problem completely. Our borders are weak, they need to be defended. They are not strong and, therefore, we have defence force people to spare and take them elsewhere to be policemen—not at all, not at all. We are being invaded by a flotilla of drugs, arms, cocaine, et cetera. People do not trust the police. That is a fact. Less people trust the Government but people do not trust the police. Now you are bringing the army into that same environment. You are not talking about proper screening, you are not talking about polygraphs, you are not talking about starting to ensure that there is some degree of reform, at least with recruits, but you are now bringing that level of distrust right across the board with our uniformed service.

The answer must be to clean up the police service. Not all are bad, but the bad apples affect all the others. No real action is being taken in that regard and the bad ones are starting to destroy the good ones. And I suspect in the army, sometimes some bad ones might be taking the lives of some of the good ones. That is the reality. The Government is not doing anything about it. A good start would be to understand the problem, diagnose it properly and stop trying to treat this vicious cancer with Panadol and band-aids.

The polygraph testing and so on, do you know what unit had it? The same SAUTT they denigrate day after day—[*Interruption*—yes, the same SAUTT. They had that degree of screening and polygraph testing. But they just come here and say it is illegal, it is illegal, it is illegal. They have never said what law is broken by SAUTT. They have never brought a single case against a single operation that SAUTT has executed. With all the lawyers we have in this country, “fancy lawyers up and down the place, you could stone dog with lawyers”, not a single case, not one, but they keep saying SAUTT is illegal, SAUTT was illegal, SAUTT was illegal. Mr. Speaker, their words in this regard should be totally disregarded. They have no clue what they are talking about. They are trying to justify a political decision, but in the wrong way.

**Dr. Rambachan:** How did you describe the lawyers?

**Dr. A. Browne:** It is a phrase.

**Dr. Rambachan:** “Ah want tuh” hear it again.

**Dr. A. Browne:** We have lots of lawyers and you are saying that SAUTT is illegal but there has not been a single matter against any operation, decision, or action of SAUTT. [*Desk thumping*] So the AG needs to put his money where his mouth is. Bring some action and demonstrate that SAUTT is illegal. [*Desk thumping*]

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Mr. Speaker, the Member for Tabaquite has to stop the old talk now. *[Interruption]* I cannot give you three hours.

**Mr. Speaker:** Member, Member, address me.

**Dr. A. Browne:** Yes. Thank you for your protection, Mr. Speaker. Army personnel are not selected, trained or recruited. They have different admission criteria. Do they not? You just need school leaving. The police is different, you have to have—it is a whole, complete amalgam that cannot work. We spoke about their training, we spoke about their retraining. We spoke about the fact that you cannot untrain training. People go back to instincts, basic instincts, when under pressure.

It happens even in the House. Sometimes Senators, when they become Lower House MPs, they say “Mr. President” when they are under pressure or tension or time is running out and MPs, when they become Senators, they say “Mr. Speaker”. They are talking to the President but pressure sometimes you revert to your basic training where you started and that is what is going to happen with some of these army personnel when under pressure.

**Mr. Speaker:** Two minutes.

**Dr. A. Browne:** Thank you, Mr. Speaker. Not enough police, but they have not been doing a good job recruiting. We have many young people, if properly screened, who can do an excellent job. Even graduates of tertiary education, some of them can be our detectives of the future. The Government just wants to put armbands on soldiers and somehow tell us that they are solving crime.

We have brazen crimes. People going in houses of Government officials and coming out with cash—*[Interruption]*

**Mr. Imbert:** Eh heh?

**Dr. A. Browne:**—\$27,000/\$30,000 in cash and we do not seem interested in treating with those issues at all. They have no solution. They have been in office for three years. They cannot help the citizens of this country. Their response is unintelligent. It does not work.

This Government has failed their mandate that was given in 2010. We need a new government because this Government has proven unable—

**Dr. Rambachan:** Not the PNM.

**Dr. A. Browne:**—to solve the—a new one—problems facing—

**Dr. Rambachan:** Ramesh and Rowley.

**Dr. A. Browne:**—Trinidad and Tobago. They claim they are bringing Bills—winding up Mr. Speaker—to fight crime but what they are doing is attacking the character of people like Mr. De Lima, and Mr. Bell. They are increasing their powers to potentially oppress citizens and they are trying to find some distraction from their leaderless, visionless reality.

Mr. Speaker, this Bill is not worthy of our support. I thank you.

**The Minister of Local Government (Hon. Dr. Surujrattan Rambachan):** Thank you very much, Mr. Speaker. Thank you very much for giving me this opportunity to join this debate. We were amused by the contribution of the Member for Diego Martin Central.

A couple of days ago, someone gave a rather interesting example about change. What we are speaking about here in the Parliament and what we are debating has to do with change in the society. Laws that were passed many years ago never remained on the law books the same. As circumstances changed, as the new demands were met, laws were brought back to the Parliament and laws were revised and laws were changed. But someone gave a very interesting example that I want to share with the Member for Diego Martin Central and the Member for Point Fortin, because the Member for Point Fortin might very well appreciate this since she sleeps both in that Point Fortin house and in the one in Westmoorings. She probably would answer it for me in a very neat way.

**Mrs. Gopee-Scoon:** “You stalking or what?”

**Hon. Dr. S. Rambachan:** You know, this person said to me that he travels a lot overseas and because of the nature of his business, he has to stay in many hotels all over the world. And one of the curious things about it is every night he goes to sleep, he finds himself sleeping on the same side of the bed that he will sleep in his house, but if he tries to sleep on the other side of the bed, he could never fall asleep. The simple act of trying to change where you sleep on a bed means that there is some disturbance and you lose your sleep, and that is what this is all about.

Because we are trying to introduce change in the society, there are going to be people who are going to be upset with this change. There are going to be people who are uncomfortable with this change and that is what is happening. But if we want a better society and if we want to answer to the needs of a population who are demanding security and who have voted this Government into office in order

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to ensure that they receive the protection that they voted for, then this Government has to come here boldly, courageously and to place before this Parliament, the legislation that will bring about a solution to their problems of safety and security. And this is what this Government is intending but we do not intend to do so in any roughshod manner.

This Government signalled, quite a while back, of its intention to precept soldiers to work alongside the police. Several months ago the Minister of National Security signalled this and there has been a public discussion. I would say, on balance, that the population is on the side of the Government to precept the police officers so that we can have safety and security in the country.

Mr. Speaker, I heard from the hon. Member for Diego Martin Central, this example he gave of the Hydra. I wonder if he understood what he was saying, what he was admitting—that they also failed to deal with the Hydra that they caused to be created for over the many years. He talks about root cause and now you say “deal with the root cause”, but for 10 years they failed to deal with the root cause of the problem. So to come here and appear to be a paradigm of virtue, to come here and appear to be clean, to come here and appear to have no culpability and suddenly to have a plethora of suggestions, what he was carefully and curiously doing was denying the acceptance of responsibility for what occurred under them and which they failed to deal with.

What would have been better for him was to come here and to apologize to the nation and to accept responsibility for what they failed to do and for the inheritance they left to this People’s Partnership Government to deal with when it comes to crime, and by God we are going to deal with it and we are going to deal with it courageously. [*Desk thumping*]

Mr. Speaker, if it means that we have to come before this Parliament, where we have been elected to serve, and to bring before the eyes of the population, legislation that is progressive, legislation that will help to solve and deal with the problem of crime, then that is our responsibility.

Mr. Speaker, 2015 will come and the people will judge whether we have done right or whether we have done wrong, but right now we are not going to be forced into a state of inaction. We are going to act because action is always greater than inaction. [*Desk thumping*] What happened to them when they were in office is that they were engaged in inaction to such an extent that this is what we inherited and now we have to deal with and we are dealing with it very, very courageously.

The hon. Member for Diego Martin Central talked about a number of ideas that should have been implemented—recruitment of new police, literacy and so

on. He talked about all that to suggest that there is no crime plan to deal with crime, no crime plan. But what was your crime plan and did it work? What was your crime plan? One of the things that is so unfortunate is that you want us to come to this Parliament and announce, step by step what we are going to do, so the criminals can be ahead of us in the game, by us announcing. You do not deal with crime like that in a country.

But if you look carefully, you will see that we have had a soft approach to crime and we have had a hard approach to crime. We have had a soft approach to crime and we have had a hard approach to crime and right now there is a hard approach to crime in the Laventille area with the presence of police and the presence of the army, and they are doing the job that they have to do there by saving lives of people who would have ordinarily killed themselves. This Government is not afraid to move in when it is necessary to move in, with the support of the defence force and the police.

[MADAM DEPUTY SPEAKER *in the Chair*]

Mr. Speaker—[*Interruption*]

**Madam Deputy Speaker:** Madam Deputy Speaker.

**Hon. Dr. S. Rambachan:**—it is unfortunate, Madam Deputy Speaker—welcome Madam—that the Member for Diego Martin Central and other Members on the other side did not refer to the other things that the Government has been doing to deal with crime. They talk about dealing with children. This is the Government that is building so many early childhood centres and introducing values-based education in the school so we can start with the children and develop a proper value system and give them a value for life and the preservation of life, teach them caring, love, compassion, togetherness, team work, group behaviour, good interpersonal relationships, respect and what have you.

This is why, when you failed to build the number of ECCE centres that you promised, we are building those ECCE centres and, the Minister of Education is building them faster than has ever been done in this country, completing almost 40 of those centres already in the country and then working with the private kindergarten schools to upgrade them, so that we can achieve the goal of 600 ECCE centres.

When you talk about dealing with crime and you say that the Government does not have a crime plan, do not just look at guns and ammunition. Do not just look at police and soldiers. Look at the way we are restructuring the society. Look

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at the way we are building a values-based society to deal with the future, as we deal with the inheritance that you left us from the past, and we take responsibility for dealing with that inheritance because the population voted us in to deal with it and we will effectively deal with it. [*Desk thumping*]

Madam Deputy Speaker, you know, it is always good to witness the involvement of the citizenry in commenting on legislation that is being debated or that is before the Parliament. And, really, I admire deeply the public discourse that is taking place on this particular legislation because what it speaks of is the fact that under the People's Partnership Government, we have succeeded in building a healthy democracy and a consciousness about public affairs. And in, the distillation of ideas and in the distillation of the discourse that is taking place publicly, at the end of the day, we would have better legislation under this People's Partnership Government.

No Government has consulted, no Government has taken the trouble to engage in consultations with the public like this Government has done, and this level of public debate and commentary has increased during the tenure of this Government and it is an important indicator of the confidence that the public feels to speak freely under this administration.

**9.20 p.m.**

When the population of this country, in 1975, decided to speak out against a Government, it ended up as Bloody Tuesday on Cipero Street in San Fernando, where men were beaten and put in jail by that administration—

**Hon. Member:** You sure?

**Hon. Dr. S. Rambachan:**—and today, you have the audacity to speak in this Parliament about the defence of democracy and the rights of citizens. You do not have that moral authority at all because you jailed people in this country because they decided to demonstrate for democracy and their rights in San Fernando. When sugar and oil combined, that is what you did. You beat them hoping to beat them into submission.

Well, you did not beat them into submission. You might have beaten their physical bodies, but the spirit that they had to ensure the freedom of this country was not broken. [*Desk thumping*] It is that spirit that we have brought in this Parliament that will take us to victory over the crime situation in the country. Thank God for people like the Member for Pointe-a-Pierre who stood in those days alongside George Weekes and others to ensure that democracy and freedom to participate in marches and the freedom to speak, in fact, were preserved.

Under this Government, when the Leader of the Opposition marched in Port of Spain a couple months ago, this Government did not intervene. They were free to march and they were free to express their views. That is the difference. [*Crosstalk*] Madam Deputy Speaker, it speaks, therefore, of the respect this Government has been showing to the provisions of the Constitution—in particular, the rights under the Constitution for freedom of expression, freedom of movement, freedom of association.

What is the reality that we face today in Trinidad and Tobago? What is the reality? The reality has been spoken about by Members on this side, but it is worth noting once again. While serious crimes are down—and that is what the police statistics are showing—the murders continue to rise and that is cause for concern and should be cause for concern. The other reality is gangs, and the gang culture continues to threaten personal and national security and, therefore, where personal security of citizens is threatened and where it can have an impact on national security, it is the right and duty of the Government to intervene and to take such measures as will cause the protection of the citizen and protect the security of the nation.

There is no doubt that the public is generally fearful for their personal and family security. There is general agreement that there needs to be an expanded police service in terms of members available to secure the citizenry. Too many citizens and businesses are suffering as a result of crime. There are views now emerging that investments might be affected by crime although evidence to support such a view is not forthcoming.

The High Commissioner for the UK recently said that crime did not stop the investors from the UK from coming here to invest. [*Interruption*] He did not say that, which shows that there is some confidence that even the investors have that the Government of the day and the police service, the much maligned police service you maligned today and the much maligned defence force that you maligned today—and I am going to come to that—that they are able to secure this country and secure people who come to work in this country and invest in this country.

Madam Deputy Speaker, the bottom line is that people, citizens, want a safe and secure country and it is the duty of this Government to create a secure environment and that is what we are about and let us centre the debate on that. What should we do to create a safe and secure environment? It is against that background that the Government has chosen, amongst the measures, the precepting of a limited number of soldiers to work alongside the police officers.

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This is not an irresponsible Government. This is not a Government that is riding roughshod. I have heard some crazy remarks being made on the other side, Madam Deputy Speaker, about militarization, a military state. Do they know what a “military state” is? Do they know what militarization is? You know, when you use words like that, what you are hoping is to give a life of its own to those words in the public domain, but the public of Trinidad and Tobago is much more intelligent today than you think and they are not going to fall for that kind of language where you try to create images of militarization. This is not a military state and under this Government we will not become a military state and there will be no militarization of the State under the leadership of Kamla Persad-Bissessar and the Members of this side of the Government. [*Desk thumping*] There will be none! And I am sure I speak for every Member on this side of the Government when I say that.

So do not try to sell that to the population that there is going to be militarization of the State. Or that, what is the other one the Member for Diego Martin Central said? We are trying to have a shady kind of state of emergency. When we wanted to have a state of emergency, we came before the Parliament and we had a state of emergency and we came before this Parliament and defended the cause of the state of emergency. That is acting democratically; that is respecting the Constitution and we have always acted by the Constitution and because we have acted by the Constitution and in line with the Constitution, I want to say that this Government is going to ensure that the rights of people are not going to be violated in any way by the amendment to this Defence Act that is taking place in this Parliament.

Madam Deputy Speaker, as I said, it is not overnight that this matter has arisen. This matter was indicated by the Government several months ago and the public has been discussing this matter and they have concluded that the precepting of soldiers is in their own interest.

You know what is very sad here tonight? What is very, very sad, Member for Port of Spain South, is the labels that have been placed on the soldiers by the Opposition—the labels that have been placed on them: killing machines. That is what they have been made to look like. They have been made to look like people have no compassion; people have no feelings; people have been trained to kill. That is how they have been called; that their rights will be violated if these people only go out there. The Member for Diego Martin Central was talking about them carrying heavy weapons and they are there to intimidate people.



Madam Deputy Speaker, I happened, for about a month, maybe even more you know, in 1990, to be protected by two soldiers of the defence force when the coup took place and I can tell you that they are human beings just like me and you, but they are sworn to support the Government of the day, whether that Government is NAR, ONR, partnership or otherwise; or whether it is PNM/SJ, which it will never be. I got it right, Mr. McLeod.

The point, Madam Deputy Speaker, I make that point, is for a reason, because the Member for Morvant, I think it is—

**Hon. Member:** Laventille/Morvant.

**Hon. Dr. S. Rambachan:** Laventille East/Morvant made a statement today that one has to go behind it and analyze the intent behind that statement. I do not intend to give any intent to what the Member said, but I will read the statement. Because I want to ask, why suddenly this attack, scurrilous attack, underhand attack, upon the Chief of Defence Staff, Mr. Kenrick Maharaj. If tomorrow this Government changes, would Mr. Kenrick Maharaj, as Chief of Defence Staff, not support the Government of the day?

**Mr. Sharma:** PNM will move him.

**Hon. Dr. S. Rambachan:** Why are you attacking the Chief of Defence Staff? Why are you attacking the defence force? First you start with the soldiers and you say they are killing machines; make them out to be—

**Miss Mc Donald:** I did not hear her attack it.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, I want to read from the *Hansard* contribution of the Member for Laventille East/Morvant:

“Mr. Speaker,”—she said—“since all past Chiefs of Defence Staff advised against this Bill, did Major General Kenrick Maharaj advise the Minister on this Bill? In essence,”—I continue to quote—“he is supposed to advise before policy is formed. That is how I know it.”—then she said—“I understand now why he is called Roger/Roger. This is not a nickname that he just got, ‘eh’. This is a nickname he had for years.”

What are you saying about the Chief of the Defence Staff? What are you saying? Madam Deputy Speaker, I will not be part of this debate and the Parliament to allow the good name of a soldier—a man who is ready to put his life down in defence of this country—to be in any way sullied in the name of political expediency. I will not; I will not do that! [*Desk thumping*] It is unfortunate that the good name of Mr. Kenrick Maharaj was dragged into this debate in this manner; but the people, not me, the people will read behind the motives for that attack.

**Hon. Member:** Racial.

**Hon. Dr. S. Rambachan:** Is it because he has said that the army supports the Government in office?

**Miss Mc Donald:** Madam Deputy Speaker, I rise on 36(5). That is certainly imputing improper motives to the Member for Laventille East/Morvant. [*Crosstalk*]

**Madam Deputy Speaker:** Members, the Member is merely quoting from the *Hansard*, which is a document of the Parliament. Member, you may continue.

**Hon. Dr. S. Rambachan:** Thank you, Madam Deputy Speaker. It is the quote from the actual words, as given to me by *Hansard*. I repeat: I will not stand or sit in this Parliament and allow people who put their lives in defence of this country to be brought into a debate like that for political expediency. [*Crosstalk*]

Madam Deputy Speaker, it is unfortunate. Our army personnel, you talk about them as not having interpersonal ability or ability beyond being just soldiers who fight war. Our soldiers, when the incident took place in Grenada recently with the hurricane, they went there and worked among the people. In Diego Martin they worked. They went to Haiti, I believe, and they were peace keepers in Haiti.

**Dr. Moonilal:** They should have commendation for that.

**Hon. Dr. S. Rambachan:** So what are you saying about our soldiers? What are you saying about our soldiers?

**Dr. Moonilal:** What a shame!

**Hon. Dr. S. Rambachan:** Why are you trying to place these unfortunate labels on our soldiers? Madam Deputy Speaker, we are in a situation where we require a particular response and by treating with our soldiers as “killing machines”, you are underestimating the intelligence of the soldiers to adapt their behaviour to new circumstances. There was even a suggestion that the soldiers cannot be trained to change their behaviours. Then you are underestimating human nature. People can be trained and people are trained and if people could not be trained, then none of us will be here with an experience like we have to share today.

Behavioural modification and adaptation of behaviour is something that can happen. Our soldiers are intelligent human beings, who will adapt very well to being police officers alongside the police officers when they go out there on the road. Let us give them credit.

So why the objections to this amendment? Why the objections to this amendment, Madam Deputy Speaker? Why are people objecting to it? The objections must be seen in a broader context of what has been a series of sporadic attacks on the initiatives of this Government to deal comprehensively with crime and criminals. From the very first day that this Government came into office, there have been attempts to ensure that this Government cannot govern nor this Government cannot rule the country. But we have done so for over two and a half years and we will do so for our full term because people are beginning to see the results of our work in this country. [*Desk thumping*]

Madam Deputy Speaker, there are groups in this country that are happy to see the crime situation continue to be what it is. The one thing I know is that our friends on the other side are not part of that group because I know they do not want to see the crime continue. This group that wants to see the crime increase—you know why? They want to see that because they cannot deal with our delivery agenda and our performance of delivery. They cannot deal with it.

Reference was made earlier today to the fact that in every area of this country, something good is happening. Madam Deputy Speaker, whether it is in the URP programme; whether it is in local government, the Ministry of Works and Infrastructure, the Ministry of the Environment and Water Resources, in every single Ministry, projects are on in the country that are improving the quality of life for all the people of this country.

Just to let you know, in the 14 corporations in Trinidad right now, there are just under 1,000 local government development projects going on in the country; just about 1,000. Under the URP programme, almost 92 projects have been completed since October across this country.

**Miss Cox:** Where?

**Mrs. Mc Intosh:** “Yeah”, where?

**Miss Cox:** South and central?

**Mrs. Mc Intosh:** Port of Spain South?

**9.35 p.m.**

**Hon. Dr. S. Rambachan:** And what is wrong with that? You always have something against south and central. That is why you did not want—“you doh want hospital in San Fernando; you doh want Debe campus, you doh wah highway”; what it is you want? What you have against people of south and

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central? What do you have against people of south and central? Do they not pay taxes in this country? Are they not citizens of this country? Are they not entitled to equal treatment in this country? [*Desk thumping*]

**Mr. Sharma:** That is the PNM culture!

**Hon. Dr. S. Rambachan:** You allowed rural underdevelopment to take place and left those people impoverished.

**Miss Cox:** Who is “you”? Who is “you”?

**Hon. Dr. S. Rambachan:** It is this Government that has started a new wave of development by starting from the outside coming in; [*Desk thumping*] outside coming in.

**Miss Cox:** So how that come in?

**Hon. Dr. S. Rambachan:** You asked the question and I am answering.

**Miss Cox:** URP in south and central.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, the physical evidence is hurting their “karega”; “karega” means heart.

**Hon. Member:** Oh!

**Hon. Dr. S. Rambachan:** It is hurting their “karega”; [*Desk thumping*] hurting your heart, because you thought this Government would not be able to deliver, but in a short space of time we have started up the economy. [*Desk thumping*] We have started up the economy. What you want to do is to create an illusion that the Government cannot govern, and that the Government has not been successful. You believe by having these sporadic attacks and these “lil” marches and so on and so forth, you will create an illusion in the minds of the population: “Look, oh gosh, this Government cannot govern”, but people are smarter than that. People are looking and laughing at you.

**Hon. Member:** All the time.

**Hon. Dr. S. Rambachan:** They are laughing at their antics because they have grown accustomed to those antics—the antics of “cry, cry, babies” on the other side. This is why the Member of Parliament for Oropouche East was right when he said that for three years you have not even advocated one new policy in the country.

**Miss Cox:** “We governing?”

**Hon. Dr. S. Rambachan:** Not one policy!

**Dr. Moonilal:** Not one!

**Hon. Dr. S. Rambachan:** Not one policy! Therefore, you have not distinguished yourself as an alternative Government and, therefore, you will never become a Government again in Trinidad and Tobago. [*Desk thumping*]

**Dr. Moonilal:** The brightest thing is their [*Inaudible*]

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, let me tell you why these sporadic and scurrilous attacks are taking place, because something is happening in this country that even the newspapers have hidden. But let me make it part of the parliamentary record.

Reduction in poverty has gone from 18.9 per cent in 2009 to 14.8 per cent in 2012. [*Desk thumping*] We said that we will try to reduce poverty by 2 per cent per year; we are on target. [*Desk thumping*]

**Hon. Member:** Yes, yes, yes.

**Hon. Dr. S. Rambachan:** We are on target. The Central Bank has indicated that the economy grew by 1.5 per cent in the third quarter of 2012 [*Desk thumping*] following a contraction of 3.3 per cent in the quarter ended June 2012. “Dat hutting dey heart”—

**Mr. Sharma:** Karega!

**Hon. Dr. S. Rambachan:**—because they wanted to see the economy down; because when the economy is up and when the GDP is up, it means people are going to get jobs; it means poverty reduction is going to happen; it means people are going to be able to build houses; it means that the restaurants are going to be working and the service sector is going to expand.

**Miss Cox:** Madam Deputy Speaker, 36(1). I would like to know what is the relevance of this to the debate, please?

**Miss Mc Donald:** Exactly!

**Dr. Moonilal:** But you were not here for an hour.

**Madam Deputy Speaker:** Sustained.

**Hon. Dr. S. Rambachan:** Member you may continue, please. Madam Deputy Speaker, the relevance of this is to show that when we expand the economy, and when we do all of these things, and we provide sustainable jobs for people, we are going to make people happy and move them away from the crime line to the line of jobs and sustainable quality life.

**Mr. Sharma:** Excellent!

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, construction: so the economy grew by 1.5 per cent in the third quarter of 2012, following a contraction of 3.3 per cent in the quarter ended June 2012.

**Mr. Sharma:** Central Bank statistics!

**Hon. Dr. S. Rambachan:** Something happened! Something happened! Construction grew by 1.3 per cent following two consecutive quarters of decline, and the energy sector grew by 0.5 per cent representing a strong rebound given that there was 7.3 per cent contraction in the previous quarter. So the economy is beginning to come back up—

**Hon. Member:** Of course it is.

**Hon. Dr. S. Rambachan:**—and they do not like that because that has implications for crime. So, you understand why they want to create this illusion in the country that this Government cannot govern.

**Hon. Member:** Because they are deluded.

**Miss Cox:** It is not an illusion, it is reality.

**Hon. Dr. S. Rambachan:** Might be reality in your dreams.

**Miss Cox:** Reality!

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, the hon. Member for Morvant/Laventille made some comments about demoralizing the police service—that we demoralized the police service. “Um, I laughed,” because I really wondered who demoralized the police service. I really wondered who demoralized the police service. I wonder. I wonder who did not build the police stations and I wonder who is building them now? I wonder, after 10 years, how come the Brasso Police Station that was burnt down is only now being rebuilt—by this Government?

I wonder why the people—the policemen in the Chaguanas station were made to live and conduct their work in containers when millions and billions were being spent on the buildings in Port of Spain, and yet the police who had to fight crime were put there? Why in that Chaguanas police station, the women, in the room where they had to dress themselves, there was no glass on the windows? And, Mr. Warner, the Member of Parliament went there and offered to fix the police station, fix the windows, and they refused. They refused, but they left them in containers—Member for Chaguanas West—they left them in containers.

**Mr. Warner:** And towels blocking the window!

**Hon. Dr. S. Rambachan:** And towels blocking the window. And you come here to say that we should be ashamed of ourselves? You should hold your heads in shame for what you did to the police community.

**Mr. Sharma:** Yes.

**Miss Cox:** Madam Deputy Speaker, who is “you”? Who is he referring to as “you” in this honourable House?

**Mr. Sharma:** What Standing Order are you on? [*Crosstalk*]

**Madam Deputy Speaker:** Member, you may continue. Member for Tabaquite, you may continue.

**Miss Cox:** Madam Deputy Speaker, that is abusive language, and he is supposed to address the person, 36(5). He is supposed to address the Member. “It is not no ‘you’ in this House.”

**Miss Mc Donald:** We are not “you”! We are referred to by our electoral districts.

**Madam Deputy Speaker:** Member, you may continue, please.

**Hon. Dr. S. Rambachan:** Thank you, Madam Deputy Speaker. If they wish me to bring the *Hansard* again, I would tell you who said that. [*Crosstalk*]

**Miss Cox:** No respect!

**Hon. Dr. S. Rambachan:** The Member of Parliament for Port of Spain North/St. Ann’s West said that the PNM had nothing to be ashamed about. Well, I say there is a lot that the PNM had to be ashamed about in terms of the time they were in office. You see, they conveniently forget about the dilapidated state of police stations and how people had to work. [*Crosstalk*] Ask the Member for Fyzabad about the Oropouche Police Station.

**Mr. Sharma:** An officer fell through the wall.

**Hon. Dr. S. Rambachan:** Yes, ask the Member of Parliament for Oropouche about the police station.

**Dr. Moonilal:** No bed!

**Hon. Dr. S. Rambachan:** Let us remind the citizenry who gave \$1,000 special allowance to the police. Let us remind who took the CHOGM vehicles and distributed them to the police.

**Dr. Moonilal:** That is right!

**Hon. Dr. S. Rambachan:** Let us remind them who did that.

**Miss Mc Donald:** “All-yuh is for all-yuh self and all-yuh self and all-yuh friends”.

**Miss Cox:** And who is riding up and down? [*Crosstalk*]

**Hon. Dr. S. Rambachan:** Let us remember that—

**Miss Cox:** “How much all-yuh have riding up and down?” We have the list. [*Crosstalk*]

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, and let us not forget who left the police without an increase in salary for how many years. [*Crosstalk*] And you talk about demoralization of the police service? [*Crosstalk*]

**Miss Mc Donald:** Not one of us could say we—

**Miss Cox:** You should be ashamed to talk about the police; you should be ashamed.

**Hon. Dr. S. Rambachan:** Every policeman and policewoman in this country, whether they have shortcomings or not, they deserve our respect for the fact that every day they put down their lives in the defence of citizens in this country, and for that we must have gratitude. [*Desk thumping*]

**Mr. Sharma:** Let us pay tribute to them.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, the sight of a turnaround bothers them because it is happening faster than they thought. [*Crosstalk*] You forgot, you conveniently forgot about—you talk about—I think the Member for Morvant/Laventille talked about loss of faith—that the Government has lost faith in the police service. [*Crosstalk*]

Madam Deputy Speaker, have they forgotten who was guarding the former Prime Minister? Have they forgotten? Was it the police service? Was it members of the police service or was it a private army of people that consisted of a lot of non-nationals of Trinidad? [*Crosstalk*] And would they say what the Prime Minister of this country did, and who is guarding the Prime Minister now? It is the defence force and the special branch. So, we have faith in the police service to defend and protect our Prime Minister.

Madam Deputy Speaker, it hurts, you know. It hurts when they hear the truth. It hurts when they hear the truth. They talk about SAUTT.



**Miss Cox:** Madam Deputy Speaker, say, what? Go ahead!

**Hon. Dr. S. Rambachan:** SAUTT used to cost what? Four hundred million dollars a year, I am advised. And what did they do? They took police officers and they topped up their pay by \$5,000 a month and made them select, and left the poor police officers without their wages being settled. If there is discrimination, that is discrimination.

**Hon. Member:** At the highest level. [*Crosstalk*]

**Dr. Gopeesingh:** Give them in cash.

**Mr. Peters:** Pay them in cash.

**Madam Deputy Speaker:** Members, Standing Order 40(b) and (c), please.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, they talk about SAUTT and the impact of SAUTT. Did the detection rate for crime go down under SAUTT?

**Hon. Member:** No!

**Hon. Dr. S. Rambachan:** Did the detection rate for crime go down under SAUTT? Let us talk the truth! Did it go down under SAUTT? You talk about SAUTT doing all this massive training and so on, did it go down? What was the impact of SAUTT on the murder rate?

**Dr. Moonilal:** Zero! [*Crosstalk*]

**Mr. Peters:** “Dey drain we Treasury!”

**Hon. Dr. S. Rambachan:** What was it?

**Miss Mc Donald:** What was the impact of SAUTT on kidnapping?

**Hon. Dr. S. Rambachan:** What was it? [*Crosstalk*] Madam Deputy Speaker, you see why the truth hurts.

**Mr. Peters:** “Dey drain we Treasury!”

**Hon. Dr. S. Rambachan:** The truth is about fact, you know. They talk about this Government and so on. You know what they do not want in the country—they must talk. You know, permit me. When the Prime Minister bought her vehicle it made front page of the newspaper, but there is a Member of the Opposition who is driving a million-dollar vehicle, you know.

**Hon. Member:** Who is that?

**Hon. Dr. S. Rambachan:** But it did not make front page of the newspapers. What makes the Prime Minister buying a vehicle so different to a Member of the Opposition also driving a million-dollar vehicle?

**Miss Cox:** It was not on the front page.

**Mr. Peters:** Working for less money.

**Hon. Dr. S. Rambachan:** And arriving at a fete in a stretch limousine. Madam Deputy Speaker, you have to understand what is happening. What is happening? They do not want crime to go down in this country. They have said over and over—the Mayor of Port of Spain has said on two occasions—and he is a senior member of the PNM—that you do not have to have a Debe campus. In this very House, the question of the Debe campus has been questioned. They did not want a teaching hospital in San Fernando. Why? So that people would get 218 new beds and state-of-the-art equipment in San Fernando.

**Dr. Ramadharsingh:** They are not people too!

**Hon. Dr. S. Rambachan:** The Member for Port of Spain North/St. Ann's West—Minister of Education, if you recall—she had lots of difficulties with allowing us with the laptop computers for kids in schools—

**Dr. Gopeesingh:** That is right.

**Hon. Dr. S. Rambachan:**—and did not want the children to get laptop computers.

**Dr. Gopeesingh:** They are called duncey!

**Hon. Dr. S. Rambachan:** Hampers at Christmas time!

**Miss Cox:** Madam Deputy Speaker—

**Miss Mc Donald:** Irrelevance!

**Miss Cox:**—36(1), relevance.

**Mr. Sharma:** Nonsense!

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, what I am showing you is—

**Madam Deputy Speaker:** Member, link, link. Link your debate to the Bill before us, please.

**Miss Mc Donald:** Exactly!

**Madam Deputy Speaker:** Thank you.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, I am showing it as a pattern on that side; a pattern. They do not want to see this Government succeed, and just like they want the crime to continue, they did not want the population to enjoy all of this. [*Crosstalk*]

**Mr. Indarsingh:** What is this aggression about?

**Miss Mc Donald:** You know, when I stand up I do not talk irrelevance.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, they talk now and they come up with this plethora of ideas to deal with crime. There are at least three Members of Parliament on that side who are in the hotspot areas: the Member for Port of Spain South; the Member for Laventille West and the Member for Laventille East/Morvant, and they are all in the hotspot areas. And do you know what? Forget the 10 years they have been there, let us take the last three years.

What have they done in all those 13 years to improve the condition of their constituents, especially in terms of security in the area? What have they done? What social programmes have you brought into Laventille? What have you done for your people? What have you done? Stand up and say what you have done for your people in those areas that would affect their lives and their quality of life in those areas? Let us hear!

While you were in Government you did not do anything, because the murder rates were continuing. Now you have a Government that is inviting your participation and you are still not doing anything for your people. That is representation?

**Hon. Member:** Shame! Shame!

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, they question the performance of this Government; today I question the performance of those Members of Parliament and the people of Laventille West, Morvant and Port of Spain South have every right to vote them out of office because they are non-performers. [*Crosstalk*]

**Miss Mc Donald:** That is what you think.

**Hon. Dr. S. Rambachan:** Nothing to affect the quality of life! What social interventions have you had that will deal with crime in your areas? What social interventions have you had? Madam Deputy Speaker, crime is also a function of the environment in which people live, of how people feel about their environment.

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I remember when General Powell was here in the country, he was making a point about an area that was infested with crime and criminal activity, and that his dear wife and himself went—and what they did, they attended to the infrastructure of the area, and they cleaned up the area and it immediately began to have an impact upon people. They introduced sports in the area, just like the Hoop of Life has been introduced, just like that. [*Desk thumping*]

**9.50 p.m.**

Madam Deputy Speaker, what did they leave for the Minister of Housing, Land and Marine Affairs? What did they leave for him? Dilapidated public housing in the area which needed repainting and needed repairs, and the hon. Minister of Housing, Land and Marine Affairs brought in the “Colour Me Orange” programme and gave persons an opportunity to improve their environment, and they were against that also.

**Hon. Member:** Stay away from crime.

**Hon. Member:** “Dat is what we doing.”

**Hon. Dr. S. Rambachan:** They were against that also, that the people must not earn something, that the people must not have some control about their dignity in terms of how they preserve and rebuild their environment. [*Interruption*] But you have done nothing. You did not bring any social programmes in your area for your people. You did not engage in any consultations with the people of the area. Mr. Jack Warner, the Minister of National Security and myself, with the Minister of the People and Social Development and other, we went into those areas and we spoke to people there, and introduced programmes in the areas.

**Miss Mc Donald:** Madam Deputy Speaker—[*Interruption*]

**Mr. Sharma:** What Standing Order “yuh” on?

**Miss Mc Donald:** I am on 36(1). At least link it to the Bill. What is it we doing here? Madam Deputy Speaker, we are wasting time. Tell us what is in the Bill? Let us know what is in the Bill. [*Crosstalk*]

**Madam Deputy Speaker:** Members! Members! Members!

**Miss Mc Donald:** Why are you attacking us? Madam Deputy Speaker, it is disheartening. [*Crosstalk*]

**Madam Deputy Speaker:** Member for Port of Spain South, you are on 36(1). Member, link your debate to the Bill and you may continue.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker—[*Interruption*]

**Mr. Indarsingh:** Anti-crime strategy.

**Hon. Dr. S. Rambachan:**—they talk about crime plan and crime strategies; I am talking about improving the physical environment that will affect the psychological environment—[*Interruption*]

**Hon. Member:** Exactly!

**Hon. Dr. S. Rambachan:**—in which people live in the area. [*Desk thumping*]  
But again “karega” burning.

**Dr. Moonilal:** “Aye yay aye.”

**Mr. Indarsingh:** Good point.

**Hon. Dr. S. Rambachan:** Heart hurting, because these are the real facts. The Member for Port of Spain North/St. Ann’s West said that PNM had nothing to be ashamed about.

**Dr. Moonilal:** Oh. Who said that?

**Mr. Sharma:** “De whole country shame ah PNM.”

**Hon. Dr. S. Rambachan:** I would say that PNM should be ashamed to make such a statement.

**Hon. Member:** Exactly!

**Miss Cox:** “Yuh come here to talk bout PNM.”

**Hon. Dr. S. Rambachan:** Nothing to be ashamed about.

**Miss Cox:**—“Speak about the Bill.

**Hon. Dr. S. Rambachan:** Yes, but I am answering what you said. I am answering what you said because there are many things you should be ashamed about. You should be ashamed that the President’s House collapsed in your last few months of office, and that nothing was done in order to preserve the dignity of where the President lived.

**Hon. Member:** Shame!

**Hon. Member:** Shame!

**Hon. Dr. S. Rambachan:** You should be ashamed that you spent \$576 million for a rapid rail feasibility study when that \$576 million could have been used to improve the infrastructure in the crime areas. [*Crosstalk*] You tell me to

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link it? Why did you not use the \$576 million to deal with the more immediate problem of improving the lives of people and improving their living conditions? Instead, you rented a condo for the prophetess through UTT, somewhere up in Guanapo.

**Hon. Member:** Shame! Shame!

**Hon. Dr. S. Rambachan:** You really want me to tell you what you should be ashamed about?

**Dr. Moonilal:** Tell them. Tell them.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, \$1.5 billion debt to contractors.

**Hon. Member:** Shame!

**Hon. Dr. S. Rambachan:** Scandalous cost overruns in Tobago.

**Hon. Member:** Shame!

**Hon. Dr. S. Rambachan:** Sixty-five unsettled wage negotiations.

**Mr. Hypolite:** Madam Deputy Speaker, 36(1). Could he make some sense and link the relevance.[*Crosstalk*]

**Miss Mc Donald:** If they did not prepare the Bill—

**Madam Deputy Speaker:** Members! Members! [*Crosstalk*] Please, I am on my legs. Members! Members! Please. [*Crosstalk*] This is not a fish market; this is the house of democracy. Member for Laventille West and, of course, Member for Laventille East/Morvant, both of you have already spoken on the debate and I am certain that the Member for Port of Spain South will, of course, be given the opportunity to speak. Member, you may continue.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, thank you. Madam Deputy Speaker, I did not talk about who was to be ashamed about what you know. I have the right to respond to that because it was said in the debate by the Member for Port of Spain North/St. Ann's West, and I am only responding to what the Member said. We have a right to respond, like they have a right to respond also, and you cannot take that right away from me in this Parliament.

**Hon. Member:** Correct!

**Dr. Gopeesingh:** You have to respond to what they say.

**Hon. Dr. S. Rambachan:** You talk about respect; then respect my right and I will respect your right.

**Hon. Member:** Correct!

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, you see, it hurts them. The \$1 billion Tarouba “tsunami” shelter—[*Interruption*]

**Hon. Member:** Shame!

**Hon. Member:** Shame!

**Hon. Dr. S. Rambachan:**—or the \$100 million spent because they ran water lines and electricity lines in the same housing development and we had to dig it up and fix it.

**Hon. Member:** Shame!

**Mr. Indarsingh:** Same thing in the—

**Hon. Dr. S. Rambachan:** The Member for Port of Spain North/St. Ann’s West said that we rode into office on a high-crime murder. That is how we came into office. The people voted us into office because they voted against the PNM. Yes, they voted against you because you are non-performing. I want to tell you more than that: we came into office because of the arrogance and contempt that you showed for citizens and their views which we are not showing, and that is why people can march in this country and speak freely in this country.

**Hon. Member:** Shame!

**Madam Deputy Speaker:** Hon. Members, the speaking time of the hon. Member has expired.

*Motion made:* That the hon. Member’s speaking time be extended by 30 minutes. [*Hon. W. Peters*]

*Question put and agreed to.*

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, there is something called, you know, gratitude and there is something called “broughtupcy”. I remember it was the hon. Prime Minister who got up today to extend the time of a Member for the Opposition on the other side today, but some people just do not have “broughtupcy”, and that is something you have to live with.

**Dr. Moonilal:** I agree.

**Miss Cox:** Madam Deputy Speaker, Standing Order—[*Interruption*]

**Mr. Sharma:** What Standing Order?

**Miss Cox:** Standing Order, imputing improper motives, 36(5). And we are not accepting any disrespect from this Member of Parliament for Oropouche.

**Hon. Member:** What Standing Order?

**Miss Mc Donald:** 36(5), she said it.

**Madam Deputy Speaker:** Member, you may continue please.

**Hon. Dr. S. Rambachan:** Thank you, Madam Deputy Speaker. Madam Deputy Speaker—[*Interruption*]

**Miss Cox:** Madam Deputy Speaker, I rise on a Standing Order 36(5). He is saying that persons have no “broughtupcy”.

**Madam Deputy Speaker:** Member, I ruled. [*Interruption*]

**Miss Cox:** We cannot sit down Fyzabad.

**Madam Deputy Speaker:** Member for Tabaquite, you may continue.

**Hon. Dr. S. Rambachan:** Thank you, Madam Deputy Speaker. Madam Deputy Speaker, they talked about a crime plan, I made reference earlier to the fact that this Government and the Ministry of National Security, in particular, have been using soft strategies and have been using hard strategies.

**Hon. Member:** Very Good.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, if they look carefully, they will see when you have a crime situation, one of the first things you have to do is containment, and the Ministry of National Security and the Minister, and the authorities in charge of security have been working hard to contain a situation. When you contain a situation then you move to prevention, and this is part of what we are doing here today with this Bill. We are moving to engage in containment but also in prevention. Preventative management of the crime situation, and then the third stage will be sustaining peace in the country. This is what we are doing.

Madam Deputy Speaker, it is very interesting you know, very, very interesting that they voted against the capital punishment Bill when it came before the Parliament, but today they are talking about crime strategy. But you know, recently, when the spike took place, just a couple of weeks ago, I heard a member of the PNM in the Port of Spain City Corporation, Councillor Isha Wells, speaking about the need to bring in strong legislation in order to deal with crime.

I saw today the former Attorney General in the newspaper, Mr. Jeremie, saying he supports capital punishment. So what do they stand for? They do not



even have coherence and agreement among themselves. In fact, Councillor Isha Wells, in that interview, agreed with the lockdown of Laventille. Yes. And if I am correct and I stand subject to correction, Member for Port of Spain South—she disagreed with you. Yes. So we have a crime plan—*[Interruption]*

**Dr. Moonilal:** That is a good councillor.

**Hon. Dr. S. Rambachan:** Very good councillor. Madam Deputy Speaker, as I come to an end, you know—

**Miss Cox:** It is about time.

**Hon. Dr. S. Rambachan:**—the Member of Parliament for Laventille East/Morvant, again in her contribution today, she said, “We do not want a ‘mongoose gang’ here. We do not trust this Government.” Yes? Can you trust Ramesh? Can you trust Ramesh and Rowley together?

**Hon. Member:** “Ramley.”

**Miss Mc Donald:** Madam Deputy Speaker—*[Interruption]*

**Mr. Sharma:** What is the Standing Order?

**Miss Mc Donald:**—36(5).

**Mr. Sharma:** “Okay, sit dong.”

**Hon. Member:** What is 36(5)?

**Mr. Indarsingh:** How their former Attorney General want it and they do not want it?

**Madam Deputy Speaker:** Member, you may continue.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, it was not I who saw them on a platform together in St. James, you know. They were on a platform together, and I am wondering, “Who riding who back now?” “Who riding who back?”

**Mr. Indarsingh:** Good question.

**Hon. Dr. S. Rambachan:** They published all kinds of stuff in Tobago about “who riding who back”. I wonder “who riding who back” now?

Madam Deputy Speaker, the credibility and integrity of a person who aspires to be Prime Minister but adopts a morality of convenience in order to become Prime Minister is what I am questioning here, and I am saying *[Desk thumping]*

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that the Leader of the Opposition has disqualified himself by adopting a morality of convenience in order to ascend to the office of Prime Minister, and this country would know about that.

**Miss Mc Donald:** And again, Madam Deputy Speaker, 36(5). The Leader of the Opposition is not here to defend himself—36(5). [*Crosstalk*]

**Hon. Member:** Where is he? [*Crosstalk*]

**Madam Deputy Speaker:** Member, as you say, you are coming to an end, please link. [*Crosstalk*] Members, please. Members! Members! Member for Port of Spain South, please.

**Hon. Member:** Put her out.

**Madam Deputy Speaker:** I said before, this is the house of democracy; this is not a fish market. Member for Tabaquite, Minister of Local Government, you may continue?

**Hon. Dr. S. Rambachan:** Thank you, Madam Deputy Speaker.

**Hon. Member:** They could do what they want.

**Hon. Dr. S. Rambachan:** Madam Deputy Speaker, I am really coming to an end of my contribution. I just want to say, you know, power corrupts and it is absolute power corrupts absolutely.

**Hon. Member:** Where was he?

**Hon. Dr. S. Rambachan:** But I want to say tonight, the lure for power corrupts a person's declared morality.

**Mr. Sharma:** "Yes man. Yea! Yea! Yea!"

**Hon. Dr. S. Rambachan:** The lure for power—because he does not have power yet. Madam Deputy Speaker, what has happened here this evening? What has happened here this evening? What has happened is that the Members of the Opposition have forgotten the people of this country and the security of the people of this country, in terms of their contribution, and they have done everything and said everything to deny the people security; to deny the people security in their home, security in the streets.

They have lambasted the Chief of Defence Staff. They have lambasted and painted a picture of the soldiers that is unwarranted—good men, good women. They have attacked the police service also. Why? Because of their lure for power and they have forgotten why we are here, which was to debate an amendment to

the Defence Act; A simple amendment to allow the soldiers to work side by side with the—tonight on the 7 o'clock news, I saw acting Commissioner, Stephen Williams, a good man, and he was saying: I do not know what all this fuss is about. The soldiers have been accustomed to working with the police and they have worked very well.

Madam Deputy Speaker, I am sure when I say that I give the assurance on behalf of this Government, that under this Government the soldiers and the police will work very well. [*Desk thumping*] The interests of the citizens would be protected by the amendments we have brought here in this Parliament, and that crime will be affected in a very positive way in terms of the security of the people of Trinidad and Tobago. I thank you, Madam Deputy Speaker. [*Desk thumping*]

**Madam Deputy Speaker:** Member for St. Joseph. [*Desk thumping*]

**Hon. Herbert Volney** (*St. Joseph*): Thank you, Madam Deputy Speaker. I am happy to join the debate at this late hour. I am happy also to say that while I had early misgivings on the constitutional strictures of this Bill, and whether they satisfied the constitutional requirements of special majorities, those concerns have been allayed in the course of the debate, and I am very happy to be able to say that I too will vote in favour of this measure. [*Desk thumping*]

Madam Deputy Speaker, we are in very challenging times in Trinidad and Tobago where, for some time now, there has been a situation that needs to be returned to one of normalcy. This requires that all hands be on deck, and that the Government continues with its programmes and its plans to fight this scourge of the criminals and criminal activity in Trinidad and Tobago. Of course, I do not see this measure as going the distance that I would like to see other measures in the future go, in order to put the criminals and criminal activity on the back foot so that law enforcement can take charge of this country in a way to return a sense of security to the citizenry.

**10.05 p.m.**

This is just one of a number of measures that the People's Partnership Government, since May of 2010, have brought to this House. It is not the only measure, and anyone who follows the product of this Government, including the parliamentary interventions over the last two and a half years would see the clearer picture emerging of a wholesome approach to fighting crime. I am somewhat disturbed at the hysteria and the scepticism being advanced by those on the Opposition, Madam Deputy Speaker.

**Mr. Warner:** *Histrionics.*

**Hon. H. Volney:** Histrionics, to use the word of the hon. Member for Chaguanas West. The fact is that over the last how many years members of the protective services of the militia—I use that word; the defence force, including the coast guard—have been involved in criminal interdiction, within the shores and even out at sea, against criminal activity. Here is a measure that serves to empower the military in a legal framework to lend a hand to dealing with miscreants in society—that is, those persons who continue to terrorize law-abiding and right-thinking members of our country.

Today, I speak not for the Government, I speak for my constituents of St. Joseph and I have had extensive talks with many, many of my constituents, and they—yes, I work full time in my constituency now. From the hills of Mt. D’Or all the way to the plain territory of Bamboo No. 1 and Aranguez, I am in touch with how my people feel, and I can tell you that on the ground the people want to see the Government put gangs and gangsters behind bars.

**Hon. Member:** That is right!

**Hon. H. Volney:** That is what the people want. They want this Government to hunt down these miscreants, run them into the Northern Range until they cannot climb hills anymore and they have to come out with their hands up, properly arrested by members of the protective services—that is, the defence force—who are trained in mountain warfare, and climbing mountains like police officers are not.

You see, Madam Deputy Speaker, I remember once when I visited the SAUTT facility, before the decision was taken to put an end to that, and we were shown an interdiction exercise that had been taped, where members of the coast guard were running down a fast patrol boat heading the way of La Fillette. When these persons who were on board this boat—which had guns and drugs on it—had reached the shore, they jumped off the boat, left their cargo and ran into the forest.

Now, this measure provides the support and legitimacy for members of the coast guard to go in hot pursuit of these persons, arrest them, and hand them over to law enforcement—that is to say, the police, in this country of ours. So this measure will go a very long way towards assisting in the fight against crime.

As someone who has spent his entire life in criminal justice work, Madam Deputy Speaker, I can assure the country that it does not take that much training in order to reorient soldiers and other military persons into the basic requirements of policing when it comes to carrying out these empowering bits of their status after this measure is passed in this honourable House, and passed it will be passed. [*Desk thumping*]

**Mr. Warner:** Well said! Well said!

**Hon. H. Volney:** You know what baffles me as a new or young parliamentarian here, you know, Madam Deputy Speaker, is that somehow those opposite have a false sense of status. They have lost it—[*Interruption*]

**Hon. Member:** “Yeah.”

**Hon. H. Volney:**—to understand that in the run-up to May 24, the People’s Partnership platform was one to hunt down the criminals, to take back street by street by whatever legal means, to go from house to house and take back our communities, to lock up those people who have been terrorizing us. Whether they be in Laventille, in Morvant, in St. Joseph or wherever, criminals are criminals and they have to be treated with hard gloves, with tough hands. Criminal interdiction is not for the faint-hearted; it is for men of resolve—persons who want to go and hunt out and put their lives on the line and to be empowered to carry out their functions.

Madam Deputy Speaker, this measure here is just one of those measures, which together with others that this Government has put in place, will contribute towards returning a state of normalcy to Trinidad and Tobago.

Of course, the task is a phenomenal one, but this Government, the People’s Partnership Government, from the outset the hon. Prime Minister took the decision to create the Ministry of Justice as the engine room of criminal justice reform. You see, why this decision was taken was because, in order for there to be a long-term fight, an assault against crime, there must be some correlation between sending people to jail and the date and timing of the crime.

In other words, there must be speedy justice, and hence one of the portfolio remits of this new justice Ministry was the speedier justice initiative. It is under that initiative that the Government tabled and enacted the Administration of Justice (Indictable Proceedings) Bill that was later to become the Act. That Bill was intended and remains intended to lessen the time between when a crime is committed and when a person charged with that crime is put to trial, and to reduce that time from five years to five months. Now, that is a measure that is in the works as far as I know, hopefully it will be brought into effect in August of 2013.

But with all the good intentions, unless the rate of detection is improved upon—and when I left the bench of this country it was at a lowly 12 per cent or thereabouts. That was at the end of the last regime’s terms in office. It was very low. Now, when you compare that—when it comes to murders—with countries

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like the Bahamas that would have 100 murders in a year and their detection rate is 90 per cent for murders, it means that we have a long way to go. That is why the Government in the last two years introduced and enacted the Administration of Justice (Deoxyribonucleic Acid) Act.

**Dr. Gopeesingh:** Well pronounced there man!

**Mr. Sharma:** “Yeah, man.”

**Dr. Gopeesingh:** Well pronounced.

**Hon. H. Volney:** That Act, the DNA Act, was intended that when persons join the armed forces samples of their DNA are taken and are put in a base. That is a measure, that was a matter that was raised today in the course of the debate, which I have tried my best to distill in order to show why this measure is most relevant and required at this point in time.

With the DNA being proclaimed, and I hope that there would be no hiccups in its proclamation, seeing that I am not around, Madam Deputy Speaker, [*Laughter*] I know that it will make a great difference [*Crosstalk*]

**Miss Mc Donald:** “We go fix that just now.”

**Hon. H. Volney:** It will make a great difference [*Crosstalk*] to increasing the detection rate in this country. But that apart, the Government also enacted the electronic tagging which is a progressive measure that has to do more with the penal reform and the transformation from the punitive aspect of sentencing to a restorative justice approach.

Now, all this is part of the Government’s plan, as I knew it to have been: the introduction of early release with electronic tagging as well as the parole laws and new prison rules. All these are measures that have been consistent with platform promises of restoring our criminal justice system to one that is effective and lends itself to the swift justice that we spoke of and that we promised the people at the polls, prior to the polls, and which they voted for.

Why I make this point here, Madam Deputy Speaker, is that this Government has the mandate of the people to take these kinds of measures as we are taking here today. We have been empowered by the people to produce strong medicine in order to address the plague of our society which is criminal activity and I urge the Government to proceed with it irrespective. One has to be mindful of public concern, but at the end of day the responsibility is the Government’s responsibility to deal with these problems. That is why the Government is on that side and the people in 2015 will have an opportunity to judge.

Do we agree as electors with how our Government has reacted to crime? What has the Government done? I am assured that this is just the first of many measures that are coming, and I look forward to very interesting times ahead, and I urge the Government to proceed with full force. [*Desk thumping*] It is the only way that we can deal with this criminal activity because on the campaign trail we promised the people that we would get on top of this crime.

We are mindful—that is the Government is mindful—of what “town say”, of what the Opposition said. [*Crosstalk*] Well, I do not agree, hon. Member for Chaguanas West because, having heard the Leader of the Opposition’s concern, having heard the concerns of the Member for Diego Martin North/East, the hon. Prime Minister and her Government have taken certain decisions as a result of which these concerns have been addressed in amendments that are before this House in relation to the original Bill.

There are safeguards that have been put into this measure, including a larger oversight, overseeing function of the Police Complaints Authority. So, defence force personnel who cross the Rubicon line and go into encroachment upon persons rights will be held responsible for their own wrongs.

**10.20 p.m.**

This measure here puts the army people in the same responsible—the same liable way as a member of the police service. What better could the Opposition want than this amendment to the amendment that first came before the House?

Now, when I sat here as the Member for St. Joseph in the early days of this debate, I listened very attentively to the contributions of those opposite—that is, on the Opposition—and they made much sense, I agree, and like an old retired judge that I am, in the twilight of my working life from all appearances, you know, [*Laughter*] and I felt that I should consider what they have said and I, you know, did what I know to do, which is to write the Prime Minister by email, and she reads all emails whether it is from me, whether it is from the Member for Port of Spain South.

The Prime Minister I can tell you gets hundreds of emails from all citizens, all persons from all walks of life. She knows more than the secret service of this country, than the intelligence services through the media, Facebook and all those things. The Prime Minister is on top of everything. She knows exactly what town says, and that is why you see this measure here today, as it is, in an acceptable position. So, I tell the Government, do not take on Fixin’ TT, because when I came today I thought there would have been a massive demonstration. I saw three people outside.

**Hon. Member:** Massive crowd, boy.

**Hon. H. Volney:** Massive crowd, three people. These people have no support. The masses of the people support the Government for doing what they are doing here today. You know why? Because the people want to see this Government get on top of gangsters, people who are terrorizing this country, and if it means telling the army to go out behind them and follow them into the hills of St. Ann's and then over into the hills of Hololo and follow them until you catch them and then lock them up. Let them have due process, but get them out of the streets so that we can start enjoying our lives again, and this is what this measure is about. I am very happy to have been here to listen to the hon. Member for Tabaquite.

**Hon. Member:** Oh, yes. [*Desk thumping*]

**Hon. H. Volney:** He has shown and demonstrated to the country that in spite of all that has come—the negativity, negatives from the Opposition benches: “this cannot work, that cannot work; this cannot work, that cannot work.”

**Mr. Warner:** “Nothing cannot work.”

**Hon. H. Volney:** —that this Government has an outstanding record of performance in the two and a half years.

I stay here; I speak for my people in St. Joseph. Of course, Madam Deputy Speaker, I could say that the people expect a lot more, and I understand, given what I have heard from the Minister of Finance and the Economy, that a number of measures will be rolling out; there will be a lot of construction; there will be jobs.

Today I had the great honour of spending my morning with the Minister of the People and Social Development, the Member for Caroni Central at the Mt. D'Or Community Centre grounds. He was up there helping hundreds of people who turned out seeking social assistance. But what is most significant is that in the nearby play field was an equal number of youths, young men all in their LifeSport jerseys, [*Desk thumping*] playing and learning from instructors.

They are being fed, they are being given a stipend, they are being uplifted by the policy of the Ministry of Sport.

**Mr. Warner:** The night before was “Hoop of Life”.

**Hon. H. Volney:** You see, the night before was “Hoop of Life”. I watched it. I mean, I was supporting Marabella but Marabella lost it in the third quarter and Laventille was the better side, it won. Look at the number of people. There must have been thousands of people there last night.



**Mr. Warner:** No MP was there. [*Crosstalk*]

**Hon. H. Volney:** You see, Madam Deputy Speaker, this is a wholesome approach to dealing with criminal activities and letting the people know, the young people know, that there is a better option and eventually what will happen is that the people who are most affected by criminal activity—[*Interruption and laughter*] Could I have a “lil” silence, please?

**Madam Deputy Speaker:** Please! Please! Allow the Member to speak in silence, please.

**Hon. H. Volney:** It is not my court but in the court of the—the highest court of the land. Yes, when people in communities that are afflicted by criminal activity get on board with interdiction, make it their business not to have the fear of these criminals, and to give the information, that is when we will solve the problem of crime.

You see the same way that civil society had their say in the run-up to this Bill being debated today, they have influenced the outcome of this measure, and today I can assure—with all of my ability and my knowledge of the law and of the Constitution that I am sworn to defend—that this Bill is a balanced Bill. It is one, as I said, it is just part of the measures of this Government.

That is why I invite the Members of the Opposition to hold hands with the Government on this one, do not say because it does something outside of the box that it is irregular, do not say because the Law Association has come out with something that is a knee-jerk reaction to what is happening that there is a problem with it. Ask the people on the ground how they feel about it. They love the army. I have many, many members of the regiment living in my constituency; many, many of them, and these people are intelligent people.

In a short space of six weeks, these officers who are chosen to assist in this programme can be taught the basics of the law of arrest and detention; the Judges Rules as they relate to the cautioning of suspects; what is required to be evident before they can suspect that someone has committed a crime, and what else would they need to know, apart from that. It can be done. Whether you are from the army, the coast guard, once you have the basic intelligence to cerebrate, you can—to use the word of the Member for Port of Spain South—learn enough to make yourself a military police in the service of the people, and that is what this measure is about.

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And that, Madam Deputy Speaker, is the reason why I, who of late have been retiring early from the Parliament, I am here at 10.28, hoping to say “aye” tonight, and with that, I say good night to the country, I say good night, Madam Deputy Speaker, I will support this measure.

I thank you.

**Hon. Member:** Well done, man. Well done. [*Desk thumping*]

**Miss Marlene Mc Donald** (*Port of Spain South*): Thank you, Madam Deputy Speaker, and indeed a pleasure to—just six minutes I would be speaking for.

**Dr. Moonilal:** Seven, go ahead.

**Hon. Member:** How long?

**Dr. Moonilal:** Seven

**Miss M. Mc Donald:** I thank you for this opportunity to join in this debate here, as short as it might be, until we meet again.

Madam Deputy Speaker, we started this debate on Friday, March 08, at which time the Attorney General piloted, and I just want to make a comment about something we have been discussing in this Parliament for the past two and half years. We received a Bill entitled the Defence (Amdt.) Bill; that Bill had two clauses. On that same Friday, we received an amendment to that Bill, this time the Bill was renamed—the Miscellaneous Provisions (Defence and Police Complaints) Bill, 2013. Again, we heard in the news yesterday that more amendments would be coming as we enter Parliament today and, of course, during the debate we were presented with yet another amendment.

So, again, Madam Deputy Speaker, this shows clearly the haphazard manner in which legislation is being handled, and it is not the first time this has happened. I recall when we were doing the trilogy of Bills, that was in 2011, and in the middle of one of the debates, I believe it was the one on the preliminary enquiries, we got amendments to the actual Bill, and again we spoke about it. But this seems to be something that is in their DNA. They come here with, what you may call, a “half pick duck” Bill and during the course of the debate we are presented with amendments without even giving the Opposition an opportunity for us to study those amendments.

But, Madam Deputy Speaker, my role here as the final speaker on my bench is to show that the Government has gone on a wrong premise and that wrong premise is the Defence Act does not give the opportunity or the right to appoint

any police officer in this country. It is unconstitutional, and, Madam Deputy Speaker, throughout my debate I will demonstrate how it is unconstitutional, how there is a subversion of the Constitution taking place, [*Interruption*] and if you start with the wrong premise obviously everything that flows from that is going to be illegal, very much so.

On Friday, the Attorney General said that the Police Complaints Authority Act is one way they are going to open up this Act, amend it and it would be an avenue for redress for if any one of those soldier police should do anything in terms of damage to property or the abuse of their—what is it; whatever is given to them; the exercise of their rights—they would now turn to the public, sorry, the PCA, the Police Complaints Authority. Madam Deputy Speaker, again I want to proffer at the beginning of my contribution that the Police Service Regulations cannot speak to non-police officers, and I will demonstrate that when I speak.

The Leader of Government Business went on today to state that—he said we have never discussed what is our crime plan, and in my view from where I sit, he said this is only one measure they are going to adopt as their crime plan, and I want to say, Madam Deputy Speaker, through you, we have been waiting now for two and half years to see what is the crime plan of this Government. We have been asking; we have been cajoling; we have been pleading and to date we have received nothing. Instead, we have little bits and pieces of things they tried; pieces of legislation, SoE, et cetera, but nothing concrete to say, this is what we are going to utilize.

[MR. SPEAKER *in the Chair*]

So, Madam Deputy Speaker, I see this measure before the Parliament today as a hoax, and certainly an admission by this Government that they have failed miserably in providing citizens, law-abiding citizens with a safe place to live.

**10.35 p.m.**

This is what this is telling me and I have listened to many of the speakers and many of them take it as a joke. Today, the Member for Tabaquite certainly was not prepared, certainly was not prepared.

**Mr. Sharma:** Nonsense.

**Miss M. Mc Donald:** You cannot tell me I am talking nonsense, Member for Fyzabad. Take back that word.

**Mr. Speaker:** Please, Member for Fyzabad—

**Miss M. Mc Donald:** Certainly, Madam, sorry, Mr. Speaker, the Member was not prepared, and the Member came here and the Member sought to abuse us, he abused people who were not sitting in Parliament, everything again is the PNM. Whatever is bad is the PNM and he went on and on without telling us exactly what was this proposal going to do. What are the pitfalls in this proposal? He has not discussed anything on it but instead, he went off on an excursion about the economy. We are not discussing the economy here. We are discussing this Government taking soldiers and turning them into police and it is being done unconstitutionally, unconstitutionally. That is what is happening here. I will demonstrate it.

Madam Deputy Speaker—Mr. Speaker, my apologies. You know what pained me? I sat here from Friday and I am listening and I recalled during the last election this present Government and certain Members sitting here promised that they will deal with crime within 120 days in office—

**Hon. Member:** We did.

**Miss M. Mc Donald:**—and I will continue to say that over and over. They fooled this population into believing that the PNM was the cause of all the crime in this country.

**Hon. Member:** That is true.

**Miss M. Mc Donald:** And you all came in, you rode in on a wave of promises, promise this country the moon, the stars, what they will do, transparency, accountability, new governance. That is what they promised. And all that you have delivered—listen carefully; all that you have delivered is a whirlwind of disastrous proportions in this country. [*Desk thumping*] Are you safer now than you were back in 2010? That is the question.

**Mr. Sharma:** Yes.

**Miss M. Mc Donald:** Are you safer now?

**Mr. Sharma:** Plenty.

**Miss M. McDonald:** What you have done in two and half years is that you have dismantled the entire arm of intelligence-gathering sections of the protective services. You all talked a lot about SAUTT, but let me read something into *Hansard*. You know, when you all were in Opposition, you all said that this group, this SAUTT was spying on you all. Well, let me read something here, this is Gillian Lucky in the *Guardian* Friday, March 08, 2013, and this is what she said:

“The previous regime was advised and later warned that legislation should be brought to the Parliament to ensure that SAUTT was operating within a legal framework and to promote the accomplishments of the organisation.

But the advice was not taken and, at the first opportunity, this regime dismantled SAUTT without fully appreciating its role in the crime fight. With no SAUTT in existence, we have lost an organisation that was assisting in crime detection and improving investigating techniques.

And it has all been to the benefit of the criminals.”

So, what do we see now? As a result of this Government’s incompetence, the country is now faced with a situation of alarming proportions of criminal activities with no plan as to how we are going to get out of this. Precepting military personnel is not a crime plan. That is not a crime plan and I have to agree with my colleagues when they said that this is just a knee-jerk response, and I want to state that this knee-jerk response would have far-reaching consequences. It will.

Mr. Speaker, to a simplistic mind, one might believe that putting more police or soldiers in the road with uniforms and guns, it will solve the crime problem. It will not, it will not. And so this amendment to section 5 of the Defence Act is another clear demonstration of the haphazard and “vaille-que-vaille” manner in which crime is being handled in this country.

Then we spoke about Mr. Martin Joseph, and I recall the Member for Chaguanas West when he was in Opposition, I remember a day Mr. Martin Joseph was doing a presentation in the Lower House and he came with a red card. You recall that Member for Chaguanas West? You came with a red card and you said in the football world—[*Crosstalk*] you said: “Listen you are a nice person but you see this red card, time out.” Well, I “doh have ah red card” but I want to tell you time out too! [*Desk thumping*]

**Dr. Rowley:** Ban for life.

**Miss M. Mc Donald:** Time out Member for Chaguanas West, time out. Ban for life. This is what you did to Martin Joseph.

**Dr. Moonilal:** I wrote a letter of resignation for him.

**Miss M. Mc Donald:** Pardon me.

**Dr. Moonilal:** I gave him a letter of resignation.

**Miss M. Mc Donald:** Mr. Speaker, the legislative—this proposed amendment gives members of the defence force the same powers as the police, but only when they are assisting the police. We need to visit because we want to know what has caused this knee-jerk response to this crime situation. If you look at the PP

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Manifesto which is now their policy document, there is a whole chapter on crime reduction and human security and the focus there is on attacking crime, nurturing humanity and making our society safe and our citizens secure. At page 25, this is what they said and I quote:

“The current government neither has the will nor the competence to deal with the lawlessness and indiscipline pervading our society and which feeds”—the—“environment within which crime flourishes.”

It goes on:

“Our government will take a multipronged approach that will address the political, economic, social, technological and managerial dimensions required to reinstate safety and security.”

**Mr. Sharma:** One hundred points.

**Miss M. Mc Donald:** What has really been done? What have you done in the area of re-socializing away from crime with all those repeat offenders. You all closed down the ROP Programme. What is going on? All that is just flowery language, just fluff and puff. Nothing is going on, absolutely nothing. Are we safer now—

**Mr. Sharma:** Yes.

**Miss M. Mc Donald:**—than we were in 2010?

**Mr. Sharma:** Yes.

**Miss M. Mc Donald:** Are we?

**Mr. Sharma:** Yes, yes.

**Miss M. Mc Donald:** Well yes, you are in the majority, you will say yes but continue fooling yourself and sticking your head in the sand. Continue doing that, continue doing that.

**Mr. Sharma:** “Look how safe you is.”

**Miss M. Mc Donald:** Mr. Speaker, after they have systematically dismantled our security systems in this country and all the hit and miss responses to crime, the Minister of National Security on Monday, January 07, 2013 sought to address the crime statistics in this country. And what he did he compared 2010 to 2012. I ran a—I used to be in charge of a financial institution and I know that you have year to year, year to year comparisons. So he went from 2010 to 1012. Permit me to disclose to this House the police report on serious crimes. In the area of murder for January 2010: 343. In 2012: 378.

**Dr. Rowley:** “It gone down, hmm.”

**Miss M. Mc Donald:** All right, 378—from 2010, 343 up to 378. In the area of burglaries, 2010: 3,891. In 2012: 4,089.

**Dr. Rowley:** “It gone down.”

**Miss M. Mc Donald:** In robberies, 2010: 3,423. In 2012: 4,235. Rape and incest 2010: 512; 2012: 824. Woundings and shootings 2010: 494—Mr. Speaker, could you please protect me from the Members for Chaguanas West and Fyzabad.

**Mr. Speaker:** You have my full protection.

**Miss. M. Mc Donald:** Thank you, Sir. Woundings and shootings, 2010: 494; 2012: 534.

Mr. Speaker, without presenting a crime plan to the country, having been in office for three years, we are here today, the Government is here today proposing now as their latest crime plan to turn army officers into soldier police. That is what this is about. And they cannot even get it correct. They cannot even get it correct. It is unconstitutional. Mr. Speaker, I pause at this point. [*Crosstalk*]

**Mr. Imbert:** That is about 15 minutes.

**Miss M. Mc Donald:** Mr. Speaker, perhaps we need to examine the fundamental differences between the two protective services and I think on this note I think that I should stop because this is going into a whole new realm. [*Crosstalk*]

Yes, Mr. Speaker, we have had an arrangement for six minutes. [*Desk thumping*]

#### ADJOURNMENT

**The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal):** We were really engaged listening to the hon. Member. Mr. Speaker, I beg to move that this House do now adjourn to Friday, March 15, 2013 at 1.30 p.m. and to indicate that it is the Government’s intention the to continue debate on this Bill, the Defence (Amdt.) Bill, 2013.

Mr. Speaker, I beg to move.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 10.47 p.m.*